



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 16 January 2023

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.

**There is no public access from any other entrance of the Extension.**

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

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**Councillors** - Hewitson, T Judge and Reid

## Agenda

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**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. Application for a New Premises Licence - Factory International, Water Street, Manchester, M3 4JQ**

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

**5. Application for a New Premises Licence - Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ**

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

## Information about the Committee

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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

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

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This agenda was issued on **Thursday, 5 January 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 9 January 2023

**Subject:** Factory International, Water Street, Manchester, M3 4JQ - App ref: Premises Licence (new) 282631

**Report of:** Director of Planning, Building Control & Licensing

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Deansgate

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  
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Name: Bryan Johnson  
Position: Technical Licensing Officer  
Telephone: 0161 234 1248  
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 09/11/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Factory International, Water Street, Manchester, M3 4JQ in the Deansgate ward of Manchester. A location map and photograph 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. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Manchester International Festival.
- 2.3 The description of the premises given by the applicant is a "multi use arts, music and cultural events venue."
- 2.4 The proposed designated premises supervisor is Sheena Wrigley.

### 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance) both indoors and outdoors:

Mon to Sun 24 hours per day

Provision of late-night refreshment both indoors and outdoors:

Mon to Sun 11pm to 5am

The supply of alcohol for consumption both on and off the premises:

Mon to Sun 8am to 4am

Non Standard Timings:

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

On the day that British Summer Time commences, one additional hour to disapply its effect.

Opening hours:  
Mon to Sun 24 hours per day

2.5.1 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.

2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

**2.6 Activities unsuitable for children**

2.6.1 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.

**2.7 Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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 4**.

**3. Relevant Representations**

3.1 A total of 21 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Licensing Authority

Other Persons:

- Deansgate Ward Councillors;
- Residents (x19)

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
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<p><b>Licensing Authority</b></p>	<p>The Licensing Authority has submitted a representation against the application on the basis of amending the applications Operating Schedule and adopting an additional condition (relating to a minimum 3 times a year ‘Event Review Meeting’ involving Responsible Authorities and principal Emergency Service agencies) so that the Four Licensing Conditions are fully upheld and promoted at the premises.</p> <p>Furthermore, the Licensing Authority has requested confirmation of how and when the premises intends to confirm to the various Responsible Authorities on how those matters raised in line with Condition 10 of the Operating Schedule are to be logged and on what source/basis the plans and documents contained within the ‘Venue Operating Manual’ are/have been based and compiled upon.</p>	<p>Grant with additional condition and amendment to Condition 11 of the Operating Schedule</p>
<p><b>Deansgate Ward Councillors</b></p>	<p>Whilst welcoming the application, and the creation of a new, multi-use arts and event venue for the City of Manchester, the Ward Councillors have expressed concern regarding the operation of the premises and how the applied for licensable activities and operating timings are likely to have an adverse impact upon all of the Four Licensing Conditions, and the resulting negative impact upon those persons residing within the immediate and nearby vicinity of the premises.</p> <p>It is of particular concern that the premises is applying to operate on a 24hour basis and to provide the sale of alcohol to 4am daily and, also, the provision of Late-Night Refreshment to 5am daily. The general consensus amongst the Ward Councillors is, that by providing the availability of alcohol and LNR to the timings as applied for, there will be a noticeable increase in the incidence of noise disturbance and antisocial behaviour/disorder/crime, littering and on-street urination by those persons attending the premises, which will</p>	<p>Grant with a reduction in operating/licensable activity timings and additional conditions</p>

	<p>only add further to those same issues already affecting the area and would/will erode the quality of life of those residing within the locality of the premises to an unacceptable extent.</p> <p>It is also of concern to the Local Ward Councillors that the premises is applying to allow external consumption of alcohol at the premises until midnight/2400hours (where the norm is to 11pm/2300hours) and to permit the premises to carry out external events for a specific period of the calendar year to 3am (where the sale and consumption of alcohol will be permitted).</p> <p>The recommendation from the Ward Councillors is for the application to be granted but only with an agreed reduction in the licensable activity and premises operating timings and the introduction of additional (unspecified) conditions.</p>	
<p><b>Residents (x19)</b></p>	<p>The general consensus amongst those private residents who have submitted representations against the application mirrors, to a very great extent, those same concerns as raised within the Local Ward Councillors' objection: an unacceptable increase in crime, antisocial behaviour, drunkenness, noise disturbance, littering, traffic volume/pollution and on-street urination by members of the general public attending/leaving the premises.</p> <p>Again, whilst the provision of a major live events/arts centre, is generally welcomed, it is a repeated concern of those private residents that the applied for operating and licensable activity timings are unreasonable, if not excessive, and that they do not take into account the amenity and general well-being of local residents. Overall a reduction in operating and licensable activity timings is being requested that fall in line with those licensed premises already operating within the local area.</p>	<p>Grant with amendments to operational and licensable activity timings.</p>

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

#### **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 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:

- 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
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene

**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
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

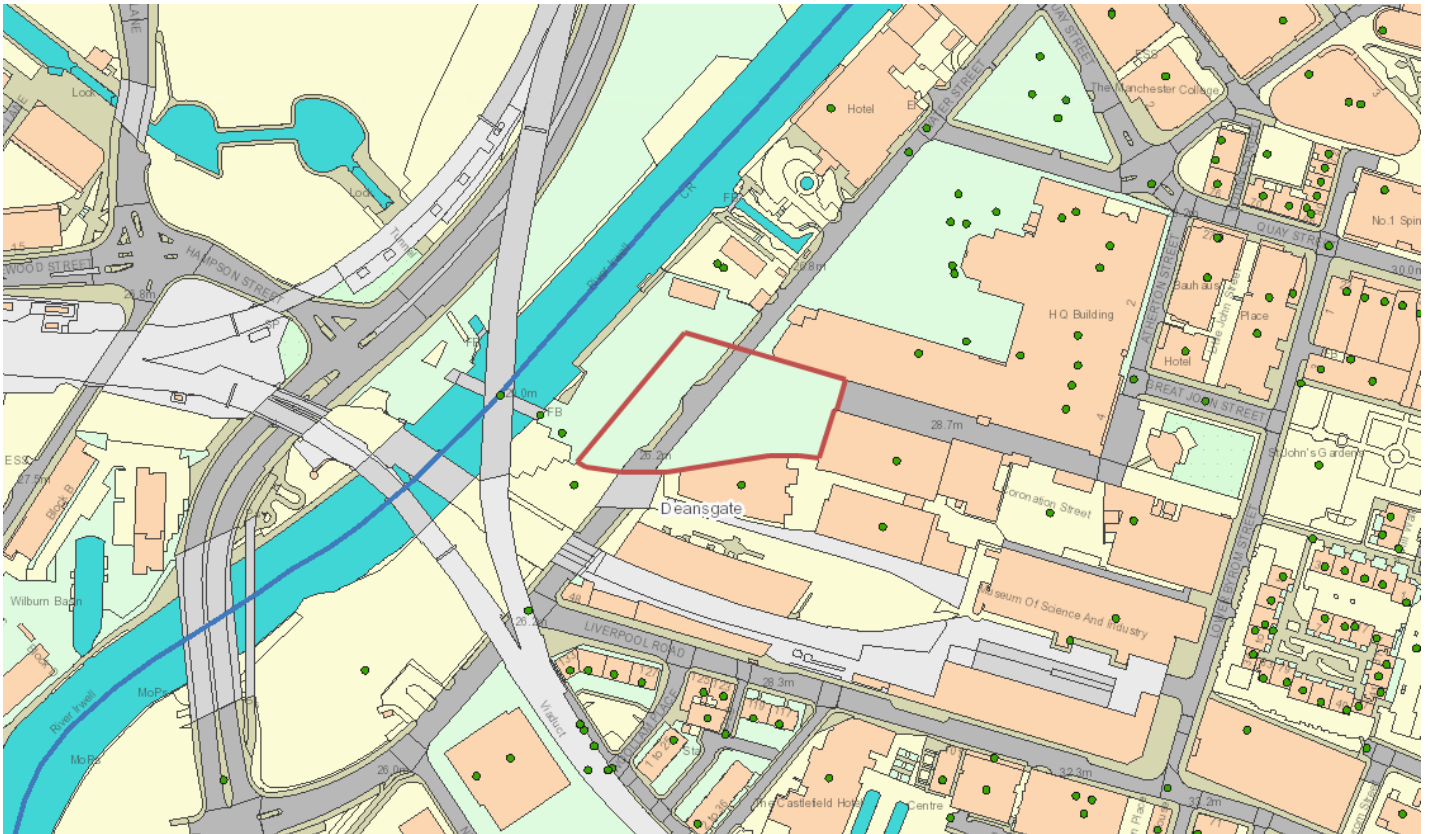
### ***Section 12: Premises Licences for large-scale public events***

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

## **5. Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any 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.
- 5.3 Having regard to the representations, 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:

- i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 5.4 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.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**



Factory International  
Water Street, Manchester, M3 4JQ

Premises Licensing  
Manchester City Council

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Survey100019568.



**PREMISE NAME:** Factory International

**PREMISE ADDRESS:** Water Street, Manchester, M3 4JQ

**WARD:** Deansgate

**HEARING DATE:** 16<sup>th</sup> January 2023



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

Document is Restricted

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**Application for a premises licence to be granted 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 Manchester International Festival .....

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
Factory International Water Street			
<b>Post town</b>	Manchester	<b>Postcode</b>	M3 4JQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Under construction	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- |    |  |                                     |                             |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals *                       | <input type="checkbox"/>            | please complete section (A) |
| b) | a person other than an individual *                  |                                     |                             |
|    | i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
|    | ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
|    | iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
|    | iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) | a recognised club                                    | <input type="checkbox"/>            | please complete section (B) |
| d) | a charity  | <input type="checkbox"/>            | please complete section (B) |

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

<b>Name</b> Manchester International Festival
<b>Address</b> Blackfriars House, Parsonage, Manchester, M3 2JA
<b>Registered number (where applicable)</b> 05292793
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Private company limited by guarantee

Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0 8	1 2	2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Multi use arts, music and cultural events venue.

The premises will be used for a wide variety of different types of events, exhibitions and cultural attractions.

The premises will have 2 main events spaces, plus food and beverage provision as well as creative spaces for artists to work.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

7500

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



**Supply 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	00:01	00:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	00:01	00:00			
Wed	00:01	00:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<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 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	00:01	00:00			
Tue	00:01	00:00			
Wed	00:01	00:00	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<b><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></b> (please read guidance note 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			

## C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	00:01	00:00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue	00:01	00:00	
Wed	00:01	00:00	
Thur	00:01	00:00	
Fri	00:01	00:00	
Sat	00:01	00:00	
Sun	00:01	00:00	

## D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:01	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	00:01	00:00			
Wed	00:01	00:00	<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<b><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></b> (please read guidance note 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:01	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	00:01	00:00			
Wed	00:01	00:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<b><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></b> (please read guidance note 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	00:01	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	00:01	00:00			
Wed	00:01	00:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<b><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></b> (please read guidance note 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			

## G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:01	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	00:01	00:00			
Wed	00:01	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	00:01	00:00			
Fri	00:01	00:00	<b><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></b> (please read guidance note 6)		
Sat	00:01	00:00			
Sun	00:01	00:00			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	00:01	00:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	00:01	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	00:01	00:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Thur	00:01	00:00	<b><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></b> (please read guidance note 6)		
Fri	00:01	00:00			
Sat	00:01	00:00			
Sun	00:01	00:00			

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b><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></b> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	08:00	04:00			
Tue	08:00	04:00			
Wed	08:00	04:00			
Thur	08:00	04:00			
Fri	08:00	04:00			
Sat	08:00	04:00			
			<b>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</b> (please read guidance note 6)		
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sun	08:00	04:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name Sheena Wrigley	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known)	

**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 9).

The premises will programme a wide variety of events/performances, some of which may not be appropriate for children. Admission policies will be risk assessed on an event by event basis, and age restrictions clearly advised when tickets are sold.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon	00:01	00:00	<b><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></b> (please read guidance note 6)
Tue	00:01	00:00	
Wed	00:01	00:00	
Thur	00:01	00:00	
Fri	00:01	00:00	
Sat	00:01	00:00	
Sun	00:01	00:00	

## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Please see attached operating schedule.

**b) The prevention of crime and disorder**

Please see attached operating schedule.

**c) Public safety**

Please see attached operating schedule.

**d) The prevention of public nuisance**

Please see attached operating schedule.

**e) The protection of children from harm**

Please see attached operating schedule.

**THE FACTORY INTERNATIONAL****OPERATING SCHEDULE****A) The Prevention of Crime and Disorder**

- 1) The premises licence holder shall attend a Safety Advisory Group (SAG) which shall be established by the Licensing Authority who shall invite, at a minimum, Greater Manchester Police and other emergency responders to events at the premises, North West Ambulance Service and Greater Manchester Fire and Rescue Service to support in the promotion of the licensing objectives in the delivery of events at the premises. The SAG shall meet at least 28 days prior to the first scheduled events at the premises and then every 6 months following the first meeting. The licence holder shall have proper regard to advice received from the SAG.
- 2) A detailed assessment shall be completed of the appropriate CCTV provision at the premises in accordance with industry guidance relevant to the premises. The zones to be assessed shall include, but not be limited to, those inside and immediately outside the premises, including all entry routes, concourses, areas permitted for licensable activity including customer seated/standing areas and exit routes. The assessment must also take into account when CCTV footage of specific areas needs to be monitored in real-time by appropriately qualified and trained persons before, during and after the event.
- 3) A CCTV system shall be maintained and operated at the premises in accordance with the provision deemed appropriate by this assessment.
- 4) Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
- 5) The CCTV images provided shall be sufficiently clear and distinct to enable personnel to carry out all the functions required of the CCTV system as below:
  - To offer management an effective means of monitoring and identifying persons at the venue and any instances of overcrowding, crowd movement, crowd disorder, anti-social behaviour and threats to security.
  - To allow personnel in the CCTV control to identify incidents – either by viewing the monitor directly or after receiving reports – and then, by use of the system, to make a more detailed appraisal.
  - In the event of crowd disorder, anti-social behaviour, an accident or threat to security, enable the use of recordings for evidential purposes.
- 6) CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any footage subsequently produced will be in a format so it can be played back on a standard PC.
- 7) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- 8) Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.
- 9) The maximum internal permitted occupancy of the premises shall be an audience of 7500 persons (excluding staff/security/performers).

10) A site-specific Venue Operations Manual (VOM) shall be developed by the Premises Licence Holder and made available for inspection upon the request of an authorised officer of the Licensing Authority or other responsible authority. The Licensing Authority and SAG shall be notified of any amendments made to the VOM within 28 days of the amendments being made. The licence holder shall have proper regard to advice received from the Licensing Authority and SAG on the terms of the VOM.

11) The VOM must include, at a minimum, the following: -

- Site Plan
- Counterterrorism and Security Plan
- Emergency Response Plans including:
  - Counter Terrorism Response Plans
  - General Emergency Response Plans
- Fire Safety Plan
  - Fire Response Plan
- Crowd Management Plan including
  - Ingress and egress procedures
  - Capacity management
  - Alcohol and Drugs Plan
  - Show Stop Procedures
- Event Management Procedures including:
  - Event Counter Terrorism, Security & Medical Risk Assessment Process
- Traffic Management Plan
- Medical Management Plan
- Adverse Weather Plan
- Crisis Communication Plan
- Noise Management Plan
- Sanitation Plan
- Child Welfare/Vulnerable Persons Policy and Safeguarding Plan
- Draft Stewarding Plans for different types of events
- Processes to ensure personnel involved in the provision of private security and safety management at an event adequately liaise over their respective roles.
- Event Log

- 12) The VOM (and any appendices) will be 'living' documents which will be reviewed and revised in the planning phases of events at the premises.
- 13) The Premises Licence Holder must comply with the VOM.
- 14) The premises licence holder must complete a specific event management plan, which shall be provided to the Licensing Authority, the Licensing and Out of Hours Team and Greater Manchester Police at least 28 days prior to the event in respect of any event which:
  - a) Has a capacity of 3000 persons or more; and/or
  - b) Finishes after 01:30 and has as its main focus live or recorded music.
- 15) The premises licence holder shall also complete a specific event management plan which shall be provided to the Licensing Authority, the Licensing and Out of Hours Team and Greater Manchester Police at least 28 days prior to the event in respect of any other event for which the premises licence holder deems this necessary, e.g. because of the nature of the event, the hours of operation or because any specific details involve deviation from the ordinary operation of the VOM.
- 16) Both the VOM and any specific event management plans must be completed by competent persons with appropriate skills and experience.
- 17) SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out on an event by event basis. Where a specific event management plan is to be provided, this shall include the number of SIA registered door supervisors to be employed, and where they shall be stationed throughout the event.
- 18) When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - a) the number of door staff on duty;
  - b) the identity of each member of door staff;
  - c) the times the door staff are on duty.
- 19) Open containers of alcohol shall not be removed from the premises, save for consumption in any external area for the use of customers of the premises.
- 20) Staff will be trained in the requirements of the Licensing Act 2003 with regards to the licensing objectives, and in the laws relating to under age sales and the sale of alcohol to intoxicated persons and that training shall be documented and repeated as necessary on an event by event basis.
- 21) A refusals book will be maintained at all points for the sale of alcohol at the premises, and made available to an officer of a responsible authority upon request.
- 22) The premises will operate a zero tolerance policy to drugs. Any person found using drugs will be removed from the premises. Any person found to be dealing drugs will be detained (when it is safe and reasonable to do so) and the police informed immediately. Any drugs seized will be securely stored and handed over to police following any event.
- 23) Where events are ticketed, details of the admissions policy will be published on the premises website.
- 24) The premises will subscribe to Nitenet, which shall be utilised from 21:00 daily.

## **B) Public Safety**

- 1) Appropriate and sufficient first aid and medical equipment and staff shall be available and employed at the premises.

- 2) Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
- 3) An event log shall be maintained for each event that shall provide a contemporaneous record of every report which shall record:
  - a) Every report received by personnel in the control point that is related to safety, security or service, together with a record of every decision, measure or instruction subsequently implemented;
  - b) Pre and post event checks of the premises;
  - c) Any professional inspections which take place;
  - d) Any accident or incident causing injury to a member of the public;
  - e) All first aid or medical treatment provided;
  - f) All emergency drills or evacuation exercises;
  - g) Any emergencies or evacuations;
  - h) Any call to an emergency service;
  - i) Any crimes reported to the venue;
  - j) Any ejections of patrons;
  - k) Any incidents of disorder;
  - l) Any seizures of drugs, offensive weapons, fraudulent ID or similar items;
  - m) Any visit by a responsible authority;
  - n) Any faults in the CCTV system or any safety equipment;
  - o) The event log shall also record any 'near miss', which is defined as an incident which has not caused any injury, damage or loss at the time, but which nevertheless had the potential to do so.
- 4) Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 3 days' prior notice has been given to the licensing authority where consent has not previously been given:
  - Dry ice and cryogenic fog
  - Pyrotechnics, including fireworks
  - Firearms (e.g. Blank firing pistols)
  - Lasers
  - Explosives and highly flammable substances
  - Real flame
- 5) At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training.
- 6) All relevant staff and any on-duty security supervisor/manager must also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.
- 7) The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.

- 8) There must be a documented Venue Counter Terrorism Assessment, which must incorporate counter terrorism measures for the premises including the threat from terrorism in relation to event-goers or other members of the public who might be effected by crowd management and security services. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
- 9) Within 28 days of the grant of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Manchester City Council.
- 10) The premises must have a documented Counter Terrorism plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', 'Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them must be understood by those carrying them out:
  - a) Guide – Direct people towards the most appropriate location (in vacuation, evacuation, hide)
  - b) Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours
  - c) Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.
- 11) The premises licence holder shall have a system in place to ensure that appropriate security patrols are taking place and those patrols are being carried out properly.

### **C) The Prevention of Public Nuisance**

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be placed in prominent positions at the exits to the building requesting customers to leave in a quiet manner.
5. External doors and windows at the premises are to remain closed after 23:00, save for access and egress.
6. The emptying of bins into skips, and refuse collections will not take place between 23:00 and 08:00.
7. A dispersal policy will be implemented and adhered to, and will be amended as necessary on an event by event basis.
8. There shall be a designated smoking area/areas available during events. There shall be a documented smoking policy in relation to the operation of these areas.
9. Details of upcoming events (including their start and finish time) shall be published on the premises website as soon as reasonably practicable.



10. There shall be a dedicated telephone number made available to local residents so that they are able to contact the premises during events if they have any concerns or queries.
11. Where queues are likely to form, staff and/or SIA registered door supervisors (when employed) will monitor these to ensure that they are orderly and that customers queuing do not cause a nuisance.
12. There shall be no external licensable activities between 00:00 and 07:00 daily save for on 12 weekends per year when licensable activities will be permitted beyond 00:00, until 03:00 externally. Weekend days will be defined as the early hours of Friday, Saturday, Sunday and Monday. The premises will only use 3 days on any weekend that this condition is used. 3 of these weekends will be during the Manchester International Festival.
13. When the premises intends to trade until 03:00 in the external area the premises licence holder will provide the Local Authority with 14 days notice.

#### **D) The Protection of Children From Harm**

1. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
2. Staff training (for those staff who are to sell alcohol) will include the Challenge 25 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 must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Information advising what forms of ID are acceptable must be prominent at each point of sale of alcohol.
4. Information indicating that the Challenge 25 policy is in force must be prominent at each point of sale of alcohol.
5. The times that children are permitted to enter or remain on the premises, and the requirement for them to be accompanied by an adult, shall be subject to a risk assessment to be carried out by the DPS on an event by event basis.

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or</li> </ul>
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	██████████ ██████████
Date	█ ██████████
Capacity	████████████████████

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ████████████████████			
Post town	██████████	Postcode	██████████
Telephone number (if any)	██████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) ████████████████████			

## Notes for Guidance

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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. 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.
  8. 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'.
  9. 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.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



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

Document is Restricted

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**Premises Licence (new) application 282631/BJ1: Factory International, Water Street, Manchester, M3 4JQ, (Deansgate ward)**

**From:** [REDACTED]  
**Sent:** 07 December 2022 14:03  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Re: Premises Licence (new) application 282631/BJ1: Factory International, Water Street, Manchester, M3 4JQ, (Deansgate ward)

I am making a representation on behalf of the licensing authority as a responsible authority. On behalf of the Licensing Authority, I consider that it will be appropriate for the promotion of the licensing objectives for some elements of the proposed operating schedule to be updated:

1. Whilst we are keen to ensure there will be ongoing engagement between the premises and responsible authorities to measure operations at the venue, given the variety in the nature of operations, I would instead propose that the following condition is attached to the licence to replace condition A1:

*An Event Review Meeting (ERM) shall be established by the Premises Licensing Holder which shall invite, at a minimum, the Responsible Authority Contacts, and North-West Ambulance Service and Greater Manchester Fire and Rescue Service to a meeting at least three times per year, to encourage information-sharing, collaboration and cohesion regarding matters pertinent to the promotion of the Licensing Objectives at the Premises. The Premises Licence shall have proper regard to advice received from the ERM.*

2. Condition A11 (matters the Venue Operations Manual (VOM) must include) updated to include:
  - a Zone Ex Co-ordination Plan
  - Generic risk assessments for
    - the venue
    - the events (including any pre-event activities)
  - Event Management Plan template
  - Details of testing and exercises
  - A requirement that the findings of all event specific risk assessments will be included within the respective Event Management Plan
  - The 'Crisis Communication Plan' should be replaced with a more general 'Communications Plan'

The impact of large events is likely to extend beyond the footprint of the premises and so it is appropriate that there are effective co-ordination plans in place to deal with this. There needs to be generic risk assessments relevant to the operation of the venue as well as relevant event-specific risks to ensure appropriate operational measures are put in place.

It will be important to ensure that the venue has appropriate training and testing in place to ensure the effectiveness of contingency plans and that venue and event staff are trained to understand and perform their roles under those plans.

There will be communications-related considerations relevant to ensuring safe and secure general operations, and not just limited to crisis situations e.g:

- a) Operational communications e.g. ensuring there are appropriate methods of communication provided, including ensuring all safety personnel and stewards are competent and suitably trained in the practice of good communications, with or without equipment
  - b) Pre-event communications with event attendees e.g. how the venue will communicate in advance on details such as prohibited items, searching and screening measures in place
  - c) Event-day communications e.g. how communications will be maintained through the event
  - d) Accessible communications - to ensure consideration is given to the needs of attendees and staff who have cognitive or sensory impairments
3. Confirmation that matters raised in line with condition C10 would be logged (in line with Event Log in VOM)
  4. The content of the plans/docs within the VOM is not defined and so there needs to be some indication of what guidance (or other documents) they will be based on.
  5. Finally, I would like confirmation on when such documentation will be prepared for presentation to the licensing authority and other responsible authorities.

Regards [REDACTED]

[REDACTED]  
[REDACTED]

**Objection Licence Application Factory International**

**From:** [REDACTED]  
**Sent:** 07 December 2022 22:50  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** DRAFT Objection Licence Application Factory International

To: Premises licensing

While I very much welcome the construction of The Factory as a major arts facility for the city and the region, I have to object to elements of the licence application and request curtailment of hours and the addition of conditions. Additionally, I would like to see, if available, either

- the grant of elements of this licence on a temporary basis
- OR the splitting of this application into two separate components
- AND some curtailment, with a greater use of TENs to provide flexibility

The Factory, now rebranded as Factory International, is under construction to provide a multi-million-pound multi-arts centre funded by MCC, the UK government and the Arts Council, and possibly commercial sponsorship.

It will put Manchester even more firmly on the map as a centre for Arts, for entertainment, for relaxation, for community engagement across the city, and for new, challenging ideas. Funded largely by the public purse, the investment is widely spread, within that public purse, and is seen as one which 'cannot be allowed to fail'.

Manchester International Festival, very much a child of MCC, started its performance life in 2007 as an international festival of new or different artistic work. The concept developed from the vision, historical and future, of Manchester as the 'original modern' city, and the idea underpinned the artistic development. Productions were wholly new or encompassed a new approach to existing work. Running for 18 days, every 2 years, MIF soon established its reputation and drew audiences from across the region, and from abroad, supplementing performance with community engagement. Criticised by some as elitist, it brought a wider range of people to the arts, and an arts-familiar audience to unfamiliar experiences.

I have been a huge supporter of MIF. I've been a volunteer at every festival since it started, a member for many years, and an audience member, both as a ticket buyer and a 'volunteer' preview or dress rehearsal audience attendee. MIF regards its volunteers as ambassadors for the festival, and for the city. So, it very much pains me to find myself objecting to key elements of this licence application.

The idea of a permanent home for such work, supported by national and local funding, has brought us Factory International, located on the former Granada Studios, set in what is now a mixed area of Manchester City Centre, with a high proportion of the neighbourhood housing residential accommodation, most of it over 20 years old, and some over 40 years

old. The demographic is mixed, but with a larger proportion of over-40s, and older groups, than much of the city centre, and a larger proportion of owner-occupiers too.

The location is close to tram and rail services, accessed by walking through residential areas, and there is a range of carparking facilities within a short walk. For almost all of the audience the final part of their journey will be on foot, past people's homes, unless picked up by taxis, private hire or friends and family. The road network is undergoing substantial change, with a number of roads being closed, narrowed or made one way. There is an expectation from the highways planners of increased walking and cycling. Some residents, already extensive city centre walkers, anticipate further traffic congestion and are concerned about the impact late hours at a large venue could bring.

On the other side of Liverpool Road sits Castlefield Arena, with its events offer. The Arena has an 8,000 outdoor capacity, and an 11,00pm curfew. Between 8-10 music gigs are held each summer. these are disruptive but are largely accepted as an important event in the Manchester calendar. There is some, but relatively little anti-social behaviour, and the noise is a problem for some residents, some of whom manage to take their holidays at dates to avoid the gig noise.

These gigs are usually held in early July, with the occasional June date. Local residents have asked MIF to avoid a clash. 8,00 at Castlefield Arena with 7,000 at Factory International would impose demands on the area that could not be easily met, without considerable further noise, disruption and congestion. This was 'promised' at one meeting. It has not happened, and the annual summer gigs are now booked, clashing with the dates for MIF 23.

This is just one example of the extent to which FI and MIF have yet to fully acquaint themselves with the local area, which I believe is an expectation within MCC's Licensing Policy.

The hours requested, including outside events, the capacity and the mix of certainty and uncertainty of the nature of events makes it difficult to assess the ability of the venue to uphold the licensing objectives. Even more uncertain is the possibility that with the expected fall in true disposable income and potentially serious cuts in arts funding, we could find this building in the hands of a large private operator aiming to maximise profits and holding large-scale late-night events with regular emphasis on alcohol sales.

Of particular concern are

**Sale of alcohol until 4am:** This late hour is becoming more common in the city. It is often associated with stand-up late-night drinking or night clubs, and many areas of the city where there is a concentration there are problems of disorder, noise, street urination and worse, crime including theft and violence. In fact, residents living in the vicinity of Factory International and often told GMP officers are unavailable for their area because they are dealing with more serious disturbance elsewhere: where the 4am licences are.

The applicants will argue that these premises will host a different audience. I expect that this will be largely true, but there are no operating conditions which guarantee that, and the

premises could well fall into different hands. A 4am licence would be attractive to some of the audience leaving the Castlefield gigs.

**Sale of refreshment to 5am:** I suspect this is offered to give a positive impression, but often this part of a licence is not used by late night bars, as there is little demand for it, and premises would prefer to direct their resources to more profitable activities, such as the sale of drinks.

While noise from these activities indoors would not be expected to break-out, the noise from patrons leaving the premises would disturb residents at distinctly unsocial hours.

**Outdoors licence until midnight:** At a few meetings with local residents the applicant has suggested this is the norm in Manchester City Centre. In fact the norm is 11pm.

**Outdoor licence until 3am up to 36 nights per year [10% of a year].** This has now been reduced to 2am. The nights would be 'weekend' nights where the 'weekend' includes Thursday, Friday, Saturday and Sunday nights, and therefore until 3am on Fridays and Mondays. Three of these weekends would fall within the Festival dates, therefore up to 9 occurrences of a 3am finish over an 18-day period. On current timetables there would also be some overlap with Castlefield gigs, providing a ready audience, ready for a drink.

The movement of noise in the city centre is unusual and not always predictable. Noise which cannot be heard in adjacent streets at street level can often be heard from third floor and above. Noise bounces off hard surfaces, particularly as the length of buildings provides no escape route for the noise. MIF has held activities in Albert Square, more recently Cathedral Gardens, throughout its festivals since 2009. The atmosphere has been attractive, particularly in good weather, and many attend with any engagement in the arts events, but just to enjoy warm nights outside, drinking and eating, And chatting. Albert Square is not surrounded by residential properties.

There are three potential sources of noise from these events

1. Noise from the activities themselves.
2. Noise from people attending
3. Noise on leaving

We have been promised that residents will not be kept awake by outside activities, but MIF staff cannot tell us what these activities will be, though music will figure, and we have seen no estimate of the volume of noise created by people chatting. There is no way of controlling noise from people leaving and walking through residential areas at 3am.

We have known for some time that Factory international will host large scale music events. At one point 80 per year was mentioned, though I see no mention of it now. On another occasion we were told that music events would largely finish at 11pm, now we are hearing of maybe 1.30 for some music events. We have no idea how many, what type of music, what size of audience.

it is clear that large scale music events are essential to the viability of the building. The frequency, timing and size is of concern because of the experience of Castlefield residents of the dispersal noise of 8-10 gigs per year.

The solution to coach travel is still uncertain. I here mention a planning issue. I am aware that planning and licensing are separate processes. However, I present it as an example of the uncertainty of what residents will face. The original plan for coach travel had to be adjusted at the planning stage because of the probability of disturbance to residents. A new proposal was agreed, but this has been partly overtaken by local highways changes. A new proposal was presented to councillors and then had to be withdrawn because it returned to the original problems.

In addition, MIF staff have argued that their events are not likely to require coaches, but at a recent meeting we heard of events pulling together a daytime corporate or educational audience, possibly arriving in coaches from around the region.

A large part of the concern of residents arises from the uncertainty of what is going to take place at FI. We have been given information about some events which will take place as part of MIF23, and these do not really cause major concerns. But we know that very different events will take place, and we don't have the information to judge their impact.

I therefore have to conclude that I am very concerned about the ability of the premises, should the full application be granted to prevent public nuisance in the form of serious and regular late hours disturbance and nuisance to resident s=living near to or on the route to the premises.

I would urge reduced hours, increased conditions, and, if possible, a temporary element to the licence with the option in future to change.

Please acknowledge receipt of this representation and inform me of the date of any hearing.

Regards

██████████

████████████████████

██

████████████████



**Application number:282631/BJ1 - Factory International**

**From:** [REDACTED]  
**Sent:** 23 November 2022 10:42  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Application number:282631/BJ1 - Factory International

282631/BJ1  
Factory International

[REDACTED] I recognise that the mixed residential / commercial nature of Manchester city centre demands some elements of compromise from all parties in terms of licensing.

However the application from Factory International includes provisions that can only damage the interests of the many residents in the areas immediately surrounding the venue, and degrade the area in terms of public nuisance, while offering only limited cultural enhancement to the area and to the wider city.

A particular concern is regular noise pollution and disturbance resulting from a 365-day, 20-hour licence to supply alcohol for consumption on and off premises until the early hours of the morning.

Late night access and egress of the public, outside consumption of alcohol, parking, traffic movement, additional policing all carry direct and indirect costs both to the city and to local residents.

In general, cultural events requiring alcohol to be served until 4am are uncommon. It is unclear why the applicants would require such an open, blanket provision for extended opening and the supply of alcohol if the aim is to satisfy the needs of occasional artistic and cultural late-night endeavours taking place at the venue.

Surely ad hoc permits for such events would be present a more reasonable solution.

Residents are largely inured to occasional disturbance as the cost of an urban environment, a cost to be set against the convenience and attraction of city-centre living. But it seems grossly unfair to introduce substantial change to that balance in favour of commercial interests offering limited cultural enhancement but with the propensity to cause significant nuisance.

Sincerely,

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

**RE reference 282631/BJ1 Factory International**

**From:** [REDACTED]  
**Sent:** 23 November 2022 13:10  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** RE reference 282631/BJ1 Factory International

[Some people who received this message don't often get email from [REDACTED].  
Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Premises licencing team,  
I'm writing in response to the consultation for the above licence application.  
I [REDACTED] have significant concerns over the granting of this licence.

It is unjustified to require a 24hr opening licence with supply of alcohol until 4am (5am late nights refreshments) for an arts venue.

The issue I hold is around noise, and the impact on local residents, of patrons (particularly intoxicated ones) leaving the venue in the early hours to obtain means of transportation home, and also the noise of outdoor events without restriction.

Events organised at the venue are in reality going to be organised well in advance. These events could therefore look to provision temporary licensing as and when needed. This would ensure that noise concerns may be proven to be unfounded and that the management of the venue is responsible and considerate of the local residents, and could then seek to apply for an extended licence if they deem it necessary.

This arts space is something I honestly welcome, but feel this application gives the management free rein and excessive flexibility without consideration of nearby communities.

Kind regards

[REDACTED]  
[REDACTED]

**The Liars Club/ Factory ref 282775/HH1 (Re: 282631/BJ1)**

**From:** [REDACTED]  
**Sent:** 23 November 2022 09:41  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** The Liars Club/ Factory ref 282775/HH1

Dear Sirs

I [REDACTED] want to make my strong objections to the above licence application known. Whilst the operation of the venue during normal licence hours is welcome this variation, to give a 24 hour licence all year round is certain to disturb local residents and any reasonable need for occasional late night events could be more appropriately dealt with by temporary licence applications, safeguarding residents interests. These concerns are greatly enhanced when the proposed operating plan (which does not form part of the application is considered).

The headlines of the application as i understand them are requests to have:

- a 24 hour operating licence
- a 20 hour alcohol licence (serving between 8am until 4am)
- a food licence that can operate until 5am

Its clear that the management of the Factory clearly have ambitions for the premises to operate as a late night venue and similar licences in the area have caused significant disruption such that they have not been renewed.

Whilst accepting that there may be certain occassional events that may need to take place in the middle of the night, these are hopefully extremely rare. The demand and economics of such late night artistic events is such that they would not be undertaken often and the lead time to such an event would always allow ample time for a temporary late-night alcohol/ premises licence to be obtained.

It would be completely unacceptable to local residents for the premises to be used for regular late night club events (dancing and partying until the very early hours) or even late-night corporate events. In all circumstances, the exiting of attendees from these events at 4am (after alcohol has been consumed) will clearly be very noisy and cause a disturbance to residential neighbours.

The operating schedule for the venue suggests that:

- an event management plan need only be created if there are over 3000 people in attendance
- for 12 weekends a year, the factory may operate outside the building until 3am
- a weekend comprises Friday, Saturday, Sunday, and Monday.

Outside events at 3am will clearly generate very significant and unacceptable noise levels.

Please note, I welcome the Factory and the enhancement to the arts offering in the city but I don't welcome a building for parties and large capacity club nights that decant drunk people outside my door at 4am, 365 days a year. I do hope you will weigh the interests of local residents heavily in these considerations

Yours

[REDACTED]  
[REDACTED]

**Re Factory application**

**From:** [REDACTED]  
**Sent:** 23 November 2022 17:26  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Re Factory application

Hi,

[REDACTED]

I'm aware of the application to increase trading hours to serve alcohol along with food and outside areas at certain times of the year.

I appreciate this is a great new addition to the city, but I was under the impression this would be arts venue and not a large night club.

Given the noise that we already encounter along with drunken people walking into the complex to urinate or take a drug given its enclosed doorways, I strongly agree to any changes to the current license issued ..

We also currently have an exit directory from the factory through our complex which the public would use to travel back to hotels, taxis, trains or continue drinking.

Please except this has my formal objection to the application changes.

[REDACTED]

Kind regards

[REDACTED]

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**Factory Licence**

**From:** [REDACTED]  
**Sent:** 23 November 2022 19:37  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Factory Licence

Dear Sirs,

I understand that the new Factory Arts centre is applying for a 24 hour 365 days per year licence with an alcohol licence until 4am. I wish to object to the application.

[REDACTED] It is clear that the public will be leaving and arriving via Lower Byrom Street [REDACTED]. Presently I am already disturbed at weekends and during the week by the noise of people singing shouting and talking loudly as they walk home after a night out, this will often take place after 2.00 am and if the Factory has a late licence this will become more regular.

The fear is that the licence will allow the venue to become a late night club night along the lines of The Warehouse Project. As the Factory is entirely within a residential area, it will be completely unacceptable and inconvenient. Late night venues should be situated away from residential areas. I trust my objection will be taken into account.

Kind Regards

[REDACTED]  
[REDACTED]  
[REDACTED]

**Reference: 282631/BJ1 - Objection to Licensing Application**

**From:** [REDACTED]  
**Sent:** 24 November 2022 18:41  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]

**Subject:** Reference: 282631/BJ1 - Objection to Licensing Application

To the Manchester Licensing Team,

Reference: 282631/BJ1

I want to highlight my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ. With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

**The prevention of crime and disorder**

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend into St Johns and the Factory given the close proximity to a high density residential setting.

**Public safety**

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue this size to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

**The prevention of public nuisance**

Approving the licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500+ residents of Rossetti Place, Bauhaus, and Porchfield Square completely undermines this licensing objective.

Please note, I welcome the Factory and the enhancement to the arts offering it will bring to the city. However I would be grateful if you could please take my concerns in to account and reject the licensing application, or at least curtail the hours for which any licence is granted. 10pm would seem more reasonable, given it would still take several hours for such a large number of customers to disperse safely from the local area. The quality of life and amenity of 500+ residents is at stake with this licensing request.

Kind regards

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

**Reference: 282631/BJ1 - Objection to Licensing Application****From:** [REDACTED]**Sent:** 24 November 2022 19:06**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Cc:** [REDACTED]  
[REDACTED]**Subject:** Reference: 282631/BJ1 - Objection to Licensing Application

To the Manchester Licensing Team,

Reference: 282631/BJ1

I wish to make known my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ. With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

**The prevention of crime and disorder**

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours of the morning would inevitably increase antisocial behaviour and invite crime and disorder in the nearby surrounding area. Residents living close to this location such as myself have first-hand experience of this ever growing problem in and around close by in Spinningfields and Castlefield, and it should not be allowed to extend into St Johns and the Factory given the close proximity to high density residential settings.

**Public safety**

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young and also the elderly and frail. It is not appropriate for a venue this size to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

**The prevention of public nuisance**

Approving the licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500- 1000+ residents of Rossetti Place, Bauhaus, and Porchfield Square alone plus along with the other residential areas on Liverpool Rd/Castlefield completely undermines this licensing objective.

Kindest regards

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

**Objection Reference: 282631/BJ1****From:** [REDACTED]**Sent:** 27 November 2022 09:45**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Subject:** Objection Reference: 282631/BJ1

To the Manchester Licensing Team,

Reference: 282631/BJ1

I want to highlight my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ

With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

\* The prevention of crime and disorder

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend into St Johns and the Factory given the close proximity to a high density residential setting.

\*Public safety

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

\* The prevention of public nuisance

Approving this licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500+ residents of Rossetti Place, Bauhaus, and Porchfield Square completely undermines the licensing objective.

I would be grateful if you could please take my concerns in to account and reject the licensing application, or at least curtail the hours for which any licence is granted. The quality of life and amenity of 500+ residents is at stake with this licensing request. Please note, I welcome the Factory and the enhancement to the arts offering in the city. I am looking forward to attending some of the events it will host. However, I don't welcome a building for parties and large capacity club nights that can decant drunk people at 4am, 365 days a year (which is what the current licence proposal allows for).

Kind regards

[REDACTED]

[REDACTED]  
[REDACTED]



**Licensing Application 282631/BJ1**

**From:** [REDACTED]  
**Sent:** 28 November 2022 12:04  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Licensing Application 282631/BJ1

Dear Sirs

**Licensing Application:** 282631/BJ1  
**Premises:** Factory International, Water Street, Manchester M3 4JQ  
**Applicant:** Manchester International Festival

The above application is incompatible with the four stated objectives under the Licensing Act 2003. It seeks the Licensing Committee to grant a license for the premises to operate as an entertainment venue 365 days per year for 24 hours each day, with food served until 5am Monday to Sunday and the supply of alcohol both on **and off** the premises until 4am Monday to Sunday.

The Committee has to take notice of the Guidance under the Act at s182 paras 2.15 to 2.21 in regard to public nuisance. It is clear from this application (Operating Schedule item 1 and item 12) that noise nuisance will inevitably affect adjacent residential areas because of the hours of opening and the sale of alcohol both on and off the premises. The Committee should also refer to *London Borough of Tower Hamlets v Ashburn Estates Ltd (t/a the Troxy) [2011] EWHC 3504 (admin) para 13*.

The Operating Schedule provided (attached) makes clear that residents will be disturbed by noise nuisance at unreasonable hours given that alcohol is being served until 5am 365 days per year. Many residents may have to go to work and have their sleep disturbed. Children need to sleep before going to school. It seems inconsistent on the one hand for the Planning Department to encourage residential development and in particular residential development for families, whilst the Licensing Committee is being asked to grant a 5am license at adjacent locations.

The Operating Schedule makes no mention of how the egress of the 7,500 capacity venue is to be managed to minimise disruption through adjacent residential areas and in particular how the private walkway of Culvercliff Walk will not be overwhelmed.

The three other objectives should be covered by the responsible authorities, but I would urge the Committee to seek assurance from the Chief Constable of Police that GMP will be able to police the venue when 7,500 capacity is being discharged at 5am and I would also ask the Committee to restrict the sale of alcohol to on premises and limited to reasonable hours not beyond 11pm. On occasions when a later licence might be appropriate, the venue can always make a temporary application on a case-by-case basis until the impact of the opening of the venue on the adjacent areas has been ascertained.

It has come to my attention via an email [REDACTED] dated 23 November 2022 that an "informal consultation" has been organised for "Tuesday at 2pm". However, I have not received any written invitation to such consultation. The Committee should be made aware of the lack of engagement with the affected adjacent residential areas and are asked to any outcomes of such "consultation" in that light.

[REDACTED]

[REDACTED]  
[REDACTED]

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

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

.....

**From:** [REDACTED]  
**Sent:** 29 November 2022 09:32  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Re: Licensing Application 282631/BJ1

I am [REDACTED] a resident.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Application number 282631/BJ1 The Factory

Dear Sirs,

I understand from representatives of applicants that they have disclosed to the Council a venue operations manual parts of which they expect to be incorporated in their licences by way of conditions.

I wish to object to the grant of a 20 hour alcohol licence to the Factory event venue on the which is too long and broad in my submission. The licence should only allow the serving and sale of alcohol between the hours of 8am and 2am, a total of 18 hours maximum.

The present proposal seriously affects the prevention of disorder by

- 1.unfairly avoiding the safeguards of an application for a temporary licence on the planning of an event taking place in the hours from 2am to 6am daily;
2. unfairly allowing usage which will not accord with the general approach and policy of the licensing committee about late night venues;
- 3 giving an unfair advantage for late night corporate events and parties in competition with other catering and event spaces and offering the opportunity to persons already affected by alcohol to congregate at the venue;

All of which contribute to drunkenness, criminal damage, drug taking, drug dealing and violence

The present proposals seriously affect the prevention of a public nuisance by way of noise levels within a short distance of residences by :-

1. promoting noise after 2am which is disruptive to sleep by allowing the congregation of numbers of people outside the venue in the early hours; 2am is the latest time that the use of outside spaces should be allowed; It is not only music and loudspeaker announcements which are disruptive in the early hours. Congregations of a number of people talking to each other are intrusive. Even small numbers of people laughing and talking at an otherwise normal level carries a long way.
2. setting far too great a minimum [3000] for reporting to the local authority /police / out of hours team etcetera.

3 giving an inadequate notice period of 14 days when they intend to trade outside. Notice of at least 8 weeks is reasonable and necessary. The proposed periods do not allow for the proper consideration by the licensing committee. If there are artistic endeavours which require operating in the early hours they are likely to cause a nuisance to local residents and should be scrutinised by councillors who are in touch with their constituents and who can impose conditions appropriate to the event. Alcohol consumption in the early hours is unnecessary and tends to promote noise.

These proposals would result in a risk of a shifting population in otherwise established residential areas and blocks in the immediate vicinity with long term residents [REDACTED] [REDACTED] to a rapidly changing population which is undesirable. It would also reduce the attractiveness to families with children, who need sleep.

Yours faithfully

[REDACTED]

**The Factory - Ref 282631/BJ1**

**From:** [REDACTED]  
**Sent:** 06 December 2022 22:43  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** The Factory - Ref 282631/BJ1

I write in relation to the licence request by the Factory.

The Factory building is being constructed in a residential area. It is bordered by residential properties, hotel and offices. There are no premises in the vicinity that operate to a late hour and serve alcohol. I object to the proposed operating and Alcohol licence in its current form as it will disturb the area and present a threat to the safety of residents.

The specific terms objected to are: serving of alcohol for 20 hours per day, with the right to serve alcohol until 4am. The number of hours is excessive and the finish time is too late. The serving of alcohol at this late hour is usually only permitted in nightclubs that are in designated area. This is a residential area and customers leaving the factory at 4am after consuming alcohol until this late hour will threaten residents

Serving until 4am will mean that drinker will move from other venues that close at 2am to this location to continue drinking. This will be creating a destination late night drinking venue in a residential area. Operating outside until 3am for long weekends (Fri, Sat, Sun & Mon). Noise will echo around the area and will disturb residents in neighbouring buildings

The concept of building the factory was presented as creating an artistic and cultural venue. For this reason, it was deemed acceptable to be in a residential area.

Theatres and other cultural venues close before 11pm and their patrons are clear by 11am.

The factory is seeking an operating licence that is akin to that of a nightclub rather than a cultural venue. It is in the wrong location, with inadequate provisions to safeguard residents when opening these late hours.

Thanks

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

**Factory International - Licence application ref. 282631/BJ1**

**From:** [REDACTED]  
**Sent:** 06 December 2022 17:57  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Factory International - Licence application ref. 282631/BJ1

I wish to comment on the Factory Premises Licence, application reference 282631/BJ1.

I believe it is excessive and inappropriate as the late hours, external events, sale of alcohol into the early morning and large crowds entering and leaving the venue in the late night and early morning will cause a public nuisance.

[REDACTED] I look forward to the venue opening and operating successfully. However, the licence application as currently written is not appropriate as no case has been made that such wide ranging and long hours are necessary or proportionate for an arts centre of this type.

I [REDACTED] received an invite to a Residents drop-in which I attended on Thursday 6<sup>th</sup> October. This event combined an exploration of potential future programming with an explanation of why the application was being made for 24-hour licensing.

Unfortunately it seemed to me that the Factory representatives had no clear explanation for why they needed any 24-hour licenses other than it may occasionally be appropriate to have an art event or installation that was open all day and all night, either to meet a specific artistic aim or to manage demand for tickets where customers would be so keen to see e.g. a visiting exhibit that they would be willing to purchase tickets for a slot between midnight and 8am.

I did not find this explanation at all convincing and I agreed with other residents present who asked why it would not be a relatively simple matter for the Factory to apply for temporary extended licenses only when required. I agreed with other residents who suggested that the Factory could quite reasonably apply for extended operating hours during the period of the Manchester International Festival, as this would be a relatively trivial matter to plan for against the backdrop of everything else connected to MiF. Any negative impacts on the local community from MiF events would naturally end when the festival ended.

Factory representatives told the meeting that they had listened to the points that had been clearly stated by residents and that they would need to go back to consider them and to reflect them when the final licence application was submitted. Unfortunately, this does not seem to have happened, which undermines my confidence in the Factory to deliver any of the mitigations that they are promising to deliver as a considerate neighbour.

In summary, I object to the 24-hour operation, provision of late-night refreshment to 5am and sale of alcohol to 4am being granted up front with no time limit when there is no clear link between these measures and the operation of a successful arts centre.

The application should be refused and resubmitted with more limited and specific hours of operation.

Many thanks

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

## Consultation and Comments MIF Factory Arts Centre Licensing

**From:** [REDACTED]  
**Sent:** 07 December 2022 13:17  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
 [REDACTED]

**Subject:** Consultation and Comments MIF Factory Arts Centre Licensing

To whom it may concern,

We [REDACTED] wanted to write to you about the proposed licensable hours. Unfortunately we were not informed of the consultation in early October, and we were on holiday during the informal briefing on Tuesday 29<sup>th</sup> November so could not attend.

While we support and look forward to the completion of the Factory Arts centre and the events and artists it will bring to the city on a regular basis, as local residence we have a number of concerns. These concerns are around the impact the proposed licensing hours would have on crime and disorder, public nuisance and quality of life for ourselves as local residences. Our concerns are as follows:

### Crime and Disorder

- During yearly events at Castlefield bowl (Sounds from the City) which finish at 10:30pm we get people urinating in our doorway as they make their way home. While Sounds from the City is once a year, our concern is that this sort of disorder will become more frequent. If alcohol is serviced into the earlier hours of the morning when it is quieter, there are less people round which might otherwise persuade people not to engage in such antisocial behaviour.
- The supply of alcohol until 4am could lead to increased crime and disorder. In other areas of Manchester where licenses have been granted until the early hours there has been an increase in recorded crime and disorder, usually physical crime.

### Public Nuisance

- The supply of alcohol until 4am could lead to increased public nuisance. In Hulme recently a late license approval for alcohol has resulted in increased cases of public nuisance and the disturbance to local residences. As a result Greater Manchester Police recommended refusing a further application on grounds it would further exacerbate anti-social behaviour. Why would this situation be different?
- The properties [REDACTED] were built to the regulations of their time (1993), as such sound insulation is poor by today's building standards. During the early hours of the morning when groups congregate along Potato Wharf, [REDACTED] or sections of Liverpool Road [REDACTED] you can hear the noise as though they were in your own flat. The proposed late licence could cause a disturbance to local residences who are trying to sleep. If large groups of people are going past in the early hours it's sure to wake up people [REDACTED] who are sleeping ahead of a day of work.

The above have an impact on the quality of life of residence in close proximity of the area of the Factory Arts centre. The noise act of 1996 addresses excessive noise between the hours of 23:00 and 7:00. The concern for people living in [REDACTED] which has poor sound insulation is that residents will be subjected to excessive noise on a regular basis between these times. This sort of anti-social behaviour will only be exacerbated by late alcohol licensing. Having looked at the activities included in the provision for regulated entertainment we are struggling to understand why such a late license is required? Plays, films, indoor sporting events, boxing or wrestling entertainment, live music, performance of dance are all likely to finish by 10:30 – 11:00 pm if not earlier. We guess that the late license is then in regard to recorded music events?

Kind Regards,  
 [REDACTED]

**Make representation to a licensing or gambling application**

**From:** webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>

**Sent:** 07 December 2022 19:43

**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>

**Subject:** Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	[REDACTED]
<i>Last name:</i>	[REDACTED]
<i>Building number or name:</i>	[REDACTED]
<i>Street:</i>	[REDACTED]
<i>Area:</i>	[REDACTED]
<i>Postcode:</i>	[REDACTED]
<i>Email :</i>	[REDACTED]
<i>Application reference number:</i>	282631/BJ1
<i>Premises name (if known) and full address this representation relates to:</i>	The Factory
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	<p>Just a reminder that this is a conservation area, and there are a number of apartment buildings. People leaving The Factory would go towards Liverpool Road [REDACTED] to get towards Deansgate and the tram stop, and they tend to be quite loud as they have just left a loud music venue. Another concern is about where are they going to park their cars.</p> <p>Between the Castlefield Bowl (and all the strange things happening in there) and now The Factory I think is becoming a joke to continue calling it a conservation area.</p> <p>Hope someone, the police or the city council, will start taking seriously the noise complaints</p>



**Factory International License Application**

**From:** [REDACTED]  
**Sent:** 07 December 2022 21:16  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Factory International License Application

Reference: 282631/BJ1

Premises: Factory International, Water Street, Manchester, M3 4JQ

I object to the above license application on the grounds that the the supply of alcohol for consumption both on and off the premises to take place indoors and outdoors Mon to Sun up to 4am will lead to greatly increased levels of noise and disturbance in the surrounding residential areas which are already blighted by unacceptable levels of late night anti-social behaviour emanating from existing entertainment venues in the St.Johns, Castlefield and Deansgate areas.

Regards

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

**The Factory. Licence application Ref 282631/BJ1**

**From:** [REDACTED]  
**Sent:** 07 December 2022 19:15  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** The Factory. Licence application Ref 282631/BJ1

Good evening,

We have been made aware of the licence application to allow 24 hour opening of the Factory site, including alcohol available to 4am and other refreshments to 5am.

The request includes outdoor events up to midnight, with the exception of 36 nights until 3am per year. Running over 12 weekends, this allocates each weekend as 3 days either Thursday to Saturday or Friday to Monday.

We [REDACTED] appreciate living in the city we should expect some noise, however currently local restaurants are only open until 11/12 and the Castlefield bowl has a curfew of a similar time. We experience a lot of issues with illegal parking, crowds visiting restaurants/events blocking the pavement and noise from customers who possibly don't realise(or care) that this is a residential area where a range of ages live including very young children.

We are excited by the prospect of what the Factory will bring to our city, we are however concerned that in granting these generous licensing hours (& unprecedented for a residential area) we will see an increase in unsociable behaviour as people enter and leave the Factory for late night/early hours events. While we expect there will be security around the Factory this will not assist crowd management as it disperses through the residential areas with many likely arranging taxi collections on Liverpool Road.

We would hope that you will consider the impact that such long licencing hours will have our enjoyment of our home and also the potential harm this could have to property market value should unsociable activity continue/increase. We would appreciate far earlier finishing times and a promise of additional security patrolling the length of Liverpool road to Deansgate along with strict parking/pick up/drop off regulations enforced. It is unfair to leave this responsibility to the local police force.

It would also be appreciated if the Factory could consider the impact such a large event space will have on local residents and we would hope that they will be looking to offer local resits a form of concessionary ticket discount as compensation.

Many thanks

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

**Factory International ref 282631/BJ1**

**From:** [REDACTED]  
**Sent:** 07 December 2022 16:52  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Factory International ref 282631/BJ1

Dear Sirs,

[REDACTED]  
[REDACTED] I object to the licence application currently proposed by the Factory for the following reasons:

- The licence application is for the supply of alcohol for consumption both on and off the premises on each and every day until 4am and the provision of late-night refreshment until 5am. These are not the licensing provisions for any other arts venue in the city and it is difficult to understand why this particular venue should require such a licence. When asked in a consultation meeting what sort of events warranted such a licence, the two options given were if an exhibition proved so popular there was sufficient demand to open until 5am, and the other option was a private event such as a gig after-hours party. Firstly, having been to hundreds of exhibitions over the years I've never thought that such a visit went hand in hand with the consumption of alcohol. And secondly, such private events as gig after-hours parties would not be welcome. At such events, guests often arrive intoxicated, and leave several hours later much the worse for wear. Frankly I'm surprised that this is the level that the Factory is aiming at. I fear that the current level of noise disturbance and antisocial behaviour that we already experience [REDACTED] would be made worse by guests leaving such events, potentially after 5am. Taxis with engines running waiting for fares (which is very common) completely goes against the City's clean air policy.
- There is a separate issue with regard to outside events, when on 12 weekends a year (and apparently a weekend comprises Thursday, Friday, Saturday and Sunday) alcohol would be sold until 3am. Examples have been quoted of the Manchester International Hub which was held in Albert Square which will now be held outside the Factory. The obvious difference in the two areas is that very few people live near Albert Square whereas several thousand live near the Factory! There would inevitably be unacceptable noise if music were played and attendees were drinking and making merry. As far as I am aware events at the MIF Hub finished at midnight - why is a change necessary? In a separate communication, (following a consultation meeting on 29 November 2022), [REDACTED] suggested different times of operation with regard to the provision of alcohol; one of which is that on the "exception weekends" the finish time would be 2am. This would obviously be more welcome than 3am but I still think outdoor events in the city should finish at midnight. The number of events held in Castlefield Arena have significantly increased over time and they finish at 10.30pm midweek and 11pm at weekends - why should the Factory be any different?
- If the proposed licence is granted it sets a dangerous precedent within the city - once one venue has such a licence, it will be difficult to justify rejecting applications from other such venues.

I hope you will give my objection due consideration. It was suggested at the consultation meeting that to apply for "late" licences for occasional events would be too time consuming. May I suggest that this argument is weak, and should not be a reason to grant the extended licence that the Factory is applying for?

[REDACTED]

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The Premises Licence Holder shall attend a Safety Advisory Group (SAG) which shall be established by the Licensing Authority who shall invite, at a minimum, Greater Manchester Police and other emergency responders to events at the premises, North West Ambulance Service and Greater Manchester Fire and Rescue Service to support in the promotion of the licensing objectives in the delivery of events at the premises. The SAG shall meet at least 28 days prior to the first scheduled events at the premises and then every 6 months following the first meeting. The licence holder shall have proper regard to advice received from the SAG.</li> <li>2. A detailed assessment shall be completed of the appropriate CCTV provision at the premises in accordance with industry guidance relevant to the premises. The zones to be assessed shall include, but not be limited to, those inside and immediately outside the premises, including all entry routes, concourses, areas permitted for licensable activity including customer seated/standing areas and exit routes. The assessment must also take into account when CCTV footage of specific areas needs to be monitored in real-time by appropriately qualified and trained persons before, during and after the event.</li> <li>3. The CCTV system shall be maintained and operated at the premises in accordance with the provision deemed appropriate by this assessment.</li> <li>4. Recorded CCTV images shall be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.</li> <li>5. The CCTV images provided shall be sufficiently clear and distinct to enable personnel to carry out all the functions required of the CCTV system as below: <ul style="list-style-type: none"> <li>• To offer management an effective means of monitoring and identifying persons at the venue and any instances of overcrowding, crowd movement, crowd disorder, antisocial behaviour and threats to security.</li> <li>• To allow personnel in the CCTV control to identify incidents – either by viewing the monitor directly or after receiving reports – and then, by use of the system, to make a more detailed appraisal.</li> <li>• In the event of crowd disorder, anti-social behaviour, an accident or threat to security, enable the use of recordings for evidential purposes.</li> </ul> </li> <li>6. CCTV shall be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any footage subsequently produced shall be in a format so it can be played</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>back on a standard PC.</p> <p>7. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.</p> <p>8. Plans indicating the position of CCTV cameras shall be submitted to the Police prior to the premises opening.</p> <p>9. The maximum internal permitted occupancy of the premises shall be an audience of 7500 persons (excluding staff / security / performers).</p> <p>10. A site-specific Venue Operating Manual (VOM) shall be developed by the Premises Licence Holder and made available for inspection upon the request of an authorised officer of the Licensing Authority or other responsible authority. The Licensing Authority and SAG shall be notified of any amendments made to the VOM within 28 days of the amendments being made. The licence holder shall have proper regard to advice received from the Licensing Authority and SAG on the terms of the VOM.</p> <p>11. The VOM shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>• Site Plan</li> <li>• Counterterrorism and Security Plan</li> <li>• Emergency Response Plans including: <ul style="list-style-type: none"> <li>▪ Counter Terrorism Response Plan;</li> <li>▪ General Emergency Response Plan;</li> </ul> </li> <li>• Fire Safety Plan: <ul style="list-style-type: none"> <li>• Fire Response Plan.</li> </ul> </li> <li>• Crowd Management Plan including: <ul style="list-style-type: none"> <li>• Ingress and egress procedures;</li> <li>• Capacity management;</li> <li>• Alcohol and Drugs plan;</li> <li>• Show Stop procedures.</li> </ul> </li> <li>• Event Management Procedures including: <ul style="list-style-type: none"> <li>▪ Event Counter Terrorism, Security and Medical Risk Assessment Process.</li> </ul> </li> <li>• Traffic Management Plan</li> <li>• Medical Management Plan</li> <li>• Adverse Weather Plan</li> <li>• Crisis Communication Plan</li> <li>• Noise Management Plan</li> <li>• Sanitation Plan</li> <li>• Child Welfare/Vulnerable Persons Policy and Safeguarding Plan</li> <li>• Draft Stewarding Plans for different types of events</li> <li>• Processes to ensure personnel involved in the provision of private security and safety management at an event adequately liaise over their respective roles.</li> </ul>		
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## Schedule of Licence Conditions

<ul style="list-style-type: none"> <li>• Event Log</li> </ul> <p>12. The VOM (and any appendices) shall be 'living' documents which shall be reviewed and revised in the planning phases of events at the premises.</p> <p>13. The Premises Licence Holder shall comply with the VOM.</p> <p>14. The Premises Licence Holder shall complete a specific event management plan, which shall be provided to the Licensing Authority, the Licensing and Out of Hours Team and Greater Manchester Police at least 28 days prior to the event in respect of any event which:</p> <ul style="list-style-type: none"> <li>• has a capacity of 3000 persons or more, and/or;</li> <li>• finishes after 01:30 and has as its main focus live or recorded music.</li> </ul> <p>15. The Premises Licence Holder shall also complete a specific event management plan which shall be provided to the Licensing Authority, the Licensing and Out of Hours Team and Greater Manchester Police at least 28 days prior to the event in respect of any other event for which the premises licence holder deems this necessary, e.g. because of the nature of the event, the hours of operation or because any specific details involve deviation from the ordinary operation of the VOM.</p> <p>16. Both the VOM and any specific event management plans shall be completed by competent persons with appropriate skills and experience.</p> <p>17. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out on an event-by-event basis. Where a specific event management plan is to be provided, this shall include the number of SIA registered door supervisors to be employed, and where they shall be stationed throughout the event.</p> <p>18. When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p> <ul style="list-style-type: none"> <li>• the number of door staff on duty;</li> <li>• the identity of each member of door staff;</li> <li>• the times the door staff are on duty.</li> </ul> <p>19. Open containers of alcohol shall not be removed from the premises, save for consumption in any external area for the use of customers of the premises.</p> <p>20. Staff shall be trained in the requirements of The Licensing act 2003 with regards to the licensing objectives, and in the laws relating to underage sales and the sale of alcohol to intoxicated persons and that training shall be documented and repeated as necessary on</p>		
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## Schedule of Licence Conditions

<p>an event-by-event basis.</p> <p>21. A refusals book shall be maintained at all points for the sale of alcohol at the premises, and made available to an officer of a responsible authority upon request.</p> <p>22. The premises shall operate a zero-tolerance policy to drugs. Any person found using drugs shall be removed from the premises. Any person found to be dealing drugs shall be detained (when it is safe and reasonable to do so) and the police informed immediately. Any drugs seized shall be securely stored and handed over to police following any event.</p> <p>23. Where events are ticketed, details of the admission policy shall be published on the premises' website.</p> <p>24. The premises shall subscribe to Nite-Net, which shall be utilised from 2100 daily.</p> <p>25. Appropriate and sufficient first-aid and medical equipment and staff shall be available and employed at the premises.</p> <p>26. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>27. An event log shall be maintained for each event that shall provide a contemporaneous record of every report which shall record:</p> <ul style="list-style-type: none"> <li>• every report received by personnel in the control point that is related to safety, security or service, together with a record of every decision, measure or instruction subsequently implemented;</li> <li>• pre and post event checks of the premises;</li> <li>• any professional inspections which take place;</li> <li>• any accident or incident causing injury to a member of the public;</li> <li>• all first aid or medical treatment provided;</li> <li>• all emergency drills or evacuation exercises;</li> <li>• any emergencies or evacuations;</li> <li>• any call to an emergency service;</li> <li>• any crimes reported to the venue;</li> <li>• any ejections of patrons;</li> <li>• any incidents of disorder;</li> <li>• any seizures of drugs, offensive weapons, fraudulent ID or similar items;</li> <li>• any visit by a responsible authority;</li> <li>• any faults in the CCTV system or any safety equipment;</li> <li>• the event log shall also record any 'near miss', which is defined as an incident which has not caused any injury, damage or loss at the time, but which nevertheless had the</li> </ul>		
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## Schedule of Licence Conditions

<p>potential to do so.</p> <p>28. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects shall only be used if 3 days' prior notice has been given to the licensing authority where consent has not previously been given:</p> <ul style="list-style-type: none"> <li>• Dry Ice and Cryogenic Fog;</li> <li>• Pyrotechnics, including fireworks;</li> <li>• Firearms (e.g. Blank Firing Pistols);</li> <li>• Lasers;</li> <li>• Explosives and Highly Flammable Substances;</li> <li>• Real flame.</li> </ul> <p>29. At all times the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers shall have completed Action Counters Terrorism (ACT) Awareness e-learning training.</p> <p>30. All relevant staff and on-duty security supervisor/manager shall also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they shall have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.</p> <p>31. The Designated Premises Supervisor shall have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they shall have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.</p> <p>32. There shall be a documented Venue Counter Terrorism Assessment, which shall incorporate counter terrorism measures for the premises including the threat from terrorism in relation to event-goers or other members of the public who might be effected by crowd management and security services. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.</p> <p>33. Within 28 days of the grant of the licence, the Premises Licence Holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record shall be maintained of any remedial action implemented and made</p>		
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## Schedule of Licence Conditions

<p>available upon request to any police officer or an authorised officer of Manchester City Council.</p> <p>34. The premises shall have a documented Counter Terrorism Plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them shall be understood by those carrying them out:</p> <ul style="list-style-type: none"> <li>• Guide – Direct people towards the most appropriate location (invacuation, evacuation, hide)</li> <li>• Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours</li> <li>• Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.</li> </ul> <p>35. The Premises Licence Holder shall have a system in place to ensure that appropriate security patrols are taking place and those patrols are being carried out properly.</p> <p>36. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>37. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>38. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>39. Notices shall be placed in prominent positions at the exits to the building requesting customers to leave in a quiet manner.</p> <p>40. External doors and windows at the premises are to remain closed after 2300, save for access and egress.</p> <p>41. The emptying of bins into skips, and refuse collections, shall not take place between 2300 and 0800.</p> <p>42. A dispersal policy shall be implemented and adhered to and shall be amended as necessary on an event by event basis.</p> <p>43. There shall be a designated smoking area/areas available during events. There shall be a documented smoking policy in relation to the operation of these areas.</p> <p>44. There shall be a dedicated telephone number made available to local residents so that they are able to contact the premises during</p>		
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## Schedule of Licence Conditions

<p>events if they have any concerns or queries.</p> <p>45. Where queues are likely to form, staff and/or SIA registered door supervisors (when employed) shall monitor these to ensure that they are orderly and that customers queuing do not cause a nuisance.</p> <p>46. There shall be no external licensable activities between 0000 and 0700 daily save for on 12 weekends per year when licensable activities shall be permitted beyond 0000, until 0300 externally. Weekend days shall be defined as the early hours of Friday, Saturday, Sunday and Monday. The premises shall only use 3 days on any weekend that this condition is used. 3 of these weekends shall be during the Manchester International Festival.</p> <p>47. When the premises intends to trade until 0300 in the external area the premises licence holder shall provide the Local Authority with 14days notice.</p> <p>48. A 'Challenge 25' Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>49. Staff training (for those staff who are to sell alcohol) shall include the Challenge 25 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 employment and all staff shall receive refresher training every 6 months.</p> <p>50. Information advising what forms of ID are acceptable shall be prominent at each point of sale of alcohol.</p> <p>51. Information indicating that the Challenge 25 Policy is in force shall be prominent at each point of sale of alcohol.</p> <p>52. The times that children are permitted to enter or remain on the premises, and the requirement for them to be accompanied by an adult, shall be subject to a risk assessment to be carried out by the DPS on an event-by-event basis.</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
53. An Event Review Meeting (ERM) shall be established by the	TBC	Licensing

### Schedule of Licence Conditions

<p>Premises Licensing Holder which shall invite, at a minimum, the Responsible Authority Contacts, and North-West Ambulance Service and Greater Manchester Fire and Rescue Service to a meeting at least three times per year, to encourage information-sharing, collaboration and cohesion regarding matters pertinent to the promotion of the Licensing Objectives at the Premises. The Premises Licence shall have proper regard to advice received from the ERM.</p>		<p>Authority</p>
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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 16 January 2023

**Subject:** Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ –  
App ref: Premises Licence (new) 282819

**Report of:** Director of Planning, Building Control & Licensing

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Old Moat

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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 Telephone: 0161 234 1176  
 E-mail: fraser.swift@manchester.gov.uk

Name: Patrick Ware  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4858  
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**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 23/11/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ in the Old Moat ward of Manchester. A location map and photograph 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. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Swankys Bar Ltd.
- 2.3 The description of the premises given by the applicant is "Café bar with associated toilet facilities with outside seating area to the front".
- 2.4 The proposed designated premises supervisor is Natalie Power.

### 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (live music, recorded music) (Indoors):

- Mon to Sun 11pm to 12 midnight
- Once a month soul and Motown night on the last Saturday of each month until 2am
- New Year's Eve, Halloween 31st October until 2am
- Easter bank holiday weekend until 2am
- Both May bank holidays and August bank holiday Friday/Saturday until 2am

Provision of regulated entertainment (anything of a similar description to live music, recorded music or performances of dance) (Indoors):

- Mon to Sun 11pm to 12 midnight
- Once a month soul and Motown night on the last Saturday of each month until 2am

- New Year's Eve until 2am

Provision of late night refreshment (Both on and off the premises):

- Mon to Sun 11pm to 12 midnight

The supply of alcohol for consumption both on and off the premises:

- Mon to Sun 9:30am to 12 midnight
- Once a month soul and Motown night on the last Saturday of each month until 2am
- New Year's Eve, Halloween 31st October until 2am
- Easter bank holiday weekend until 2am
- Both May bank holidays and August bank holiday Friday/Saturday until 2am

Opening hours:

- Mon to Sun 9:30am to 12 midnight
- Once a month soul and Motown night on the last Saturday of each month until 2am
- New Year's Eve, Halloween 31st October until 2am
- Easter bank holiday weekend until 2am
- Both May bank holidays and August bank holiday Friday/Saturday until 2am

2.5.1 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.

2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

## 2.6 **Activities unsuitable for children**

2.6.1 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.

## 2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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 4**.

## 2.8 **Further documentation accompanying the application**



2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 5**:

- Plan of the premises

### 3. **Relevant Representations**

3.1 A total of ten relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

#### Responsible Authorities:

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

#### Other Persons:

- Withington Civic Society Planning Group;
- Fallowfield Community Guardians
- South East Fallowfield Residents' Group (SEFRG)
- Sherwood Tenants and Residents Association (Sherwood TRA)
- Residents (x3).

3.2 Summary of the representations:

<b>Party</b>	<b>Grounds of representation</b>	<b>Recommends</b>
<b>Trading Standards</b>	Concerns regarding the lack of conditions offered relating to underage sales and the potential impact on the Protecting Children from Harm Licensing Objective.	Grant with conditions
<b>Licensing and Out of Hours Compliance</b>	The premises fall within the Fallowfield Special Policy Area, but the applicant has not shown why the operation of the premises will not add to the cumulative impact and has not demonstrated there will be no harm to the licensing objectives or presented a genuinely exceptional case for the application to be granted. There are concerns the granting of this licence is likely to undermine the licensing objectives, especially in regard to public nuisance in the form of noise to nearby residents and businesses. It is noted that the non-standard hours applied are outside those permitted by Planning and that the outside seating area should not be operational beyond	Refuse

	9.30pm..	
<b>GMP</b>	Concerns regarding Prevention of Crime and Disorder and the Prevention of Public Nuisance and the potential increase in littering, noise disturbance and other anti-social behaviour in the Fallowfield Special Policy Area.	Refuse
<b>Withington Civic Society Planning Group</b>	Concerns that the non-standard hours applied for are outside those permitted by Planning; that premises fall within the Cumulative Impact area of Fallowfield; the potential increase of anti-social behaviour and crime and disorder.	Refuse
<b>Fallowfield Community Guardians</b>	Concerns regarding the potential for increased incidences of public nuisance and crime and disorder by the addition of another premises selling alcohol in the Fallowfield Special Policy Area.	Refuse
<b>South East Fallowfield Residents' Group</b>	Concerns that existing problems of ASB in the area which include "littering including drug/alcohol debris, noise, drug dealing, theft/burglary, intimidation, vandalism", as well as crime, will be added to. Recent "serious incidents" in the area are also referred to. SEFRG consider these issues to be "closely related to the numbers of licensed premises in this area and the fact that Fallowfield is home to a very large transient population". This further licensed premises will add to existing problems. The hours applied for are considered excessive, and the potential for submitting TENs could lead to even later closing. Grant of the application "would definitely lead to increased noise, litter and ASB". Safety concerns are also raised, with some students having a "misguided sense of security" from regarding the area as an "off shoot of the Owens Park campus."	Refuse
<b>Sherwood Tenants and Residents Group</b>	Concerns that a further licensed premises will add to existing issues of noise disturbance, littering and glass in the area. Night-time noise disturbance is a particular concern, especially during student term-time, from people coming to and leaving the premises. The proposed outside seating area is a potential further source of noise nuisance. Residents are	Refuse

	currently “badly disturbed” by noise from people returning home from licensed premises, leading to sleep disruption for both adults and children.	
<b>Residents (x3)</b>	Concerns regarding noise nuisance, anti-social behaviour and crime and disorder including vandalism, littering, broken glass, drunkenness, street urinating and vomiting; that the applicant has not shown that they will not add to the problems in the Cumulative Impact Policy Area or that there is a genuinely exceptional reason for the council to depart from this policy. Residents also make reference to serious crime in the area including a recent murder.	Refuse

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

3.4 Agreements on conditions have been reached with Trading Standards.

#### **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 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 5: Special Policy Area***

The premises is located within the following special policy area:

##### Fallowfield and Wilmslow Road

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.

##### ***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
- Ability to clean and maintain the street scene

### ***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
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)

- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS12 Prevent underage sales of alcohol, including proxy sales

***Section 11: The use of tables and chairs on the public highway***

This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

**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 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.
- 4.8 Having regard to the representations, 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:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 4.9 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.
- 4.10 All licensing determinations should be considered on the individual merits of the application.

- 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 application.**

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Swanky's  
320 Wilmslow Road, Manchester, M14 6XQ

Premises Licensing  
Manchester City Council

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Survey100019568.



**PREMISE NAME:** Swanky's

**PREMISE ADDRESS:** 320 Wilmslow Road, Manchester, M14 6XQ

**WARD:** Old Moat

**HEARING DATE:** 16/01/2023

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

Document is Restricted

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## Application for a premises licence to be granted 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 Swankys bar Ltd

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

### Part 1 – Premises details

Swankys bar Ltd			
320 wilmslow road			
Fallowfield			
Manchester			
<b>Post town</b>	Manchester	<b>Postcode</b>	M146XQ

Telephone number at premises (if any)	<b>0161 224 2746</b>
Non-domestic rateable value of premises	<b>£ 13,500</b>

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i	as a limited company/limited liability partnership	<input checked="" type="checkbox"/> please complete section (B)
	ii	as a partnership (other than limited liability)	<input type="checkbox"/> please complete section (B)
	iii	as an unincorporated association or	<input type="checkbox"/> please complete section (B)
	iv	other (for example a statutory corporation)	<input type="checkbox"/> please complete section (B)
c)	a recognised club		<input type="checkbox"/> please complete section (B)
d)	a charity		<input type="checkbox"/> please complete section (B)

e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative



**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

**Second individual applicant** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Swankys Bar Ltd 45A CHEADLE ROAD CHEADLE HULME CHESHIRE SK8 5EU
Registered number (where applicable) companies house number 13687286

Description of applicant (for example, partnership, company, unincorporated association etc.) limited company	
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	8	/ 1 2 / 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Café bar with associated toilet facilities with outside seating area to the front.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	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)	<input checked="" type="checkbox"/>
g)	performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" type="checkbox"/>
<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)		<input checked="" type="checkbox"/>
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)		<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

## A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	Both
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	Both
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

## C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

## E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	09:30		<b><u>Please give further details here</u></b> (please read guidance note 4) Tuesday student night weekly music amplified Thursday nights open mic night weekly Friday/ Saturday/ Sunday karaoke/ artist/ Dj/ open mic/ comedy night.		
		00:00			
Tue	09:30				
	19:00	00:00			
Wed	09:30		<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5) New Year's Eve 31 <sup>st</sup> December Halloween 31 <sup>st</sup> October Easter bank holiday weekend Saturday and Sunday		
		00:00			
Thur	09:30		Bank holidays=2 bank holidays in may Saturday and Sunday of both bank holiday weekends August bank holiday Saturday and Sunday		
	19:00	00:00			
Fri	09:30		<b><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></b> (please read guidance note 6) New years Eve 19:00-02:00 Halloween 31 <sup>st</sup> October annually 19:00-02:00 Once a month soul and motown night on a Saturday night 19:00-02:00 this will be the last Saturday of each month Easter bank holiday weekend 19:00-02:00 2 May bank holidays Friday/Saturday on both weekends 19:00-02:00 August bank holiday both Friday/Saturday 19:00-02:00		
	19:00	00:00			
Sat	09:30				
	19:00	00:00			
Sun	09:30				
	19:00	00:00			

## F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	09:30	00:00	<b>Please give further details here</b> (please read guidance note 4) Tuesday/ student night amplified music with DJ		
Tue	09:30	00:00			
Wed	09:30	00:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)  New Years eve amplified music Bank holidays both may bank holidays Saturday/Sunday (singer DJ on these occasion's with amplified music) August bank holiday Saturday/Sunday (singer DJ with amplified music) Halloween nearest Saturday night to 31 <sup>st</sup> October with singer/DJ with amplified music		
Thur	09:30	00:00			
Fri	09:30	00:00			
Sat	09:30	00:00	<b>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</b> (please read guidance note 6)  Soul and motown late night opening to 02:00 which will be the last Saturday of every month New Year's Eve until 02:00		
Sun	09:30	00:00			

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3) Customer dancing to recorded music/ live music etc.	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	Both
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					



## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing cheese and wine nights on Mondays monthly 1 <sup>st</sup> Monday of the month Music or a standard quiz night weekly Thursdays Painting/Craft nights to encourage community bonding subject to availability of outside companies (Wednesday) Monthly OAP afternoon tea party for the elderly first Monday of the month Saturday night live music singer/DJ/comedian/karaoke/playing recorded music		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	09:30			Outdoors	<input type="checkbox"/>
		00:00		Both	<input type="checkbox"/>
Tue	09:30	00:00			
	19:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4) Christmas OAP party including afternoon tea and recorded music		
Wed	09:30	00:00	Daytime children Christmas party including an appearance from Father Christmas		
Thur	09:30	00:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	09:30	00:00	New Year's Eve		
Sat	09:30	00:00	<b><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></b> (please read guidance note 6)		
	19:00	02:00			
Sun	09:30	00:00	New Year's Eve 19:00- 02:00 Once a month soul & motown night on a Saturday 19:00- 02:00		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
					✓
			Both		
Mon	09:30	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	09:30	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	09:30	00:00	<b><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></b> (please read guidance note 6)		
Thur	09:30	00:00			
Fri	09:30	00:00			
Sat	09:30	00:00			
Sun	09:30	00:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	09:30	00:00			
Tue	09:30	00:00			
Wed	09:30	00:00			
Thur	09:30	00:00			
Fri	09:30	00:00			
Sat	09:30	00:00			
Sun	09:30	00:00			
			<b>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</b> (please read guidance note 6)		
			New Years eve until 02:00 Once a month soul & motown night on a Saturday night until 02:00 this will be the last Saturday of every month. other nights that we open until 02:00 such as Halloween, bank holidays in may, august and Easter		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b>	Natalie power
<b>Date of birth</b>	[REDACTED]
<b>Address</b>	[REDACTED]
<b>Personal licence number (if known)</b>	22/02296

Issuing licensing authority (if known)  
STOCKPORT

**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 9).

N/A

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	09:30	00:00	
Tue	09:30	00:00	
Wed	09:30	00:00	
Thur	09:30	00:00	
Fri	09:30	00:00	
<b>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</b> (please read guidance note 6)			
New Years eve 02:00 31 <sup>st</sup> December every year Halloween 02:00 31 <sup>st</sup> October every year Once a month every month of the year on a Saturday night soul and motown night 19:00-02:00 last Saturday in the month			

Sat	09:30	02:00	Bank holidays 02.00 Saturdays that's the may/august/Easter bank holidays
Sun	09.30	00:00	Christmas Eve 02:00

## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

Outside seating area enclosed.  
 Id checks on doors / inside the premises at the bar  
 Adhere to all health and safety requirements  
 Additional staff and security staff employed on Fridays/Saturdays  
 discourage ASB on entering and exiting property  
 Implement a challenge 25 scheme

**b) The prevention of crime and disorder**

CCTV provided inside and outside  
 Security personnel- Friday & Saturday & special seasonal events,  
 Not allowing an unmanageable amount of customers entrance  
 Work with the police  
 Implement a dispersal plan  
 Adopt a no tolerance to drugs policy instant lifetime ban if found using drugs on my premises

**c) Public safety**

CCTV provided inside and outside  
 Security personnel – Friday and Saturday and special seasonal events. Protecting customers keeping them safe and helping to exit the property quietly and safely  
 Outdoor lighting down the alleyway and so deterring any antisocial behaviour and loitering  
 Not serving drunken customers and helping them to leave safely  
 Ensure staff are first aid trained  
 Discourage anyone who I think may want to drink drive and ring the police

**d) The prevention of public nuisance**

encourage silent exiting the café/ bar establishment and all the above will support the staff and deter customers from making a nuisance of themselves.  
 Not serving drunken customers  
 Join the pub watch scheme  
 work closely with other such establishments in the area trying to avoid ASB  
 not allowing drunken customers into our café/bar  
 Implement a dispersal plan  
 Check external sound level regularly

**e) The protection of children from harm**

.All children to be accompanied at all times by an adult.  
 Exercise control of child admissions along with a cut off time that children are allowed in the café/bar  
 A child's safety will always be paramount in my café/bar  
 Families will be welcome

**Checklist:**

**Please tick to indicate agreement**

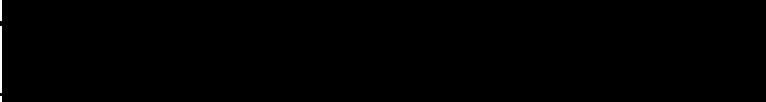
•	I have made or enclosed payment of the fee.	✓
•	I have enclosed the plan of the premises.	✓
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
•	I understand that I must now advertise my application.	✓
•	I understand that if I do not comply with the above requirements my application will be rejected.	✓
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	✓

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15).</li> </ul>
Signature	
Date	23/11/2022
Capacity	Business owner (café/bar)

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

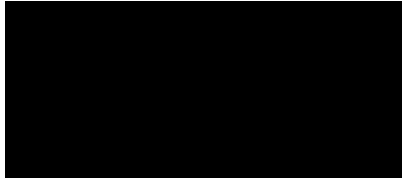
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Consent of individual to being specified as premises supervisor**

I. Natalie power  
*[full name of prospective premises supervisor]*

of



-----  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

SWANKYS BAR

-----  
*[type of application]*  
SWANKYS BAR

-----  
*[name of applicant]*

relating to a premises licence LPA 282819/PW5  
*[number of existing licence, if any]*

for

SWANKYS BAR  
320 Wilmslow road  
Fallowfield  
Manchester  
M14 6XQ

-----  
*[name and address of premises to which the application relates]*



and any premises licence to be granted or varied in respect of this application made by

Swankys bar Ltd

-----  
*[name of applicant]*

concerning the supply of alcohol at

SWANKYS BAR  
320 WILMSLOW ROAD  
FALLOWFIELD  
MANCHESTER  
M14 6XQ

-----  
*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

22/02296

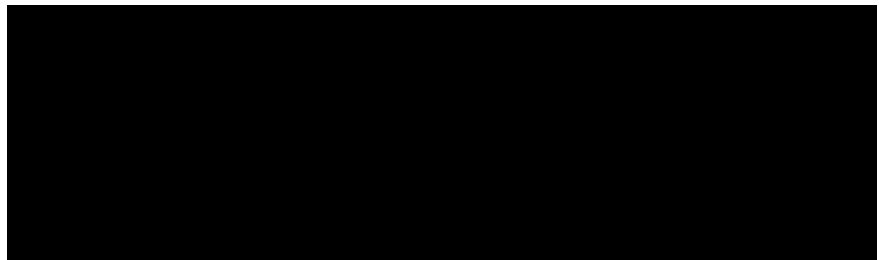
-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

STOCKPORT

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

Natalie power

Date

21/11/2022

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

Document is Restricted

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PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM	
Your first name (required)		Your last name (required)	
Devon		Bennett	
Your address including postcode (required)			
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ			
Contact email address		Contact phone no	
Devon.bennett@manchester.gov.uk		0161 234 1540	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 282819
Name of the Premises about which you would like to make a representation:
Swankys Bar Ltd
Address of the Premises (including postcode if known):
320 Wilmslow Road, Manchester, M14 6XQ

YOUR REPRESENTATION
<p>Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)</p>
<p>The Trading Standards Service has assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the prevention of children from harm.</p> <p>The applicant proposes the sale of alcohol for a bar. The applicant has offered some conditions to promote the licensing objectives, specifically the protection of children from harm. The conditions offered relate to implementing a challenge 25, ID checks at the door and at the bar, restricting access to the bar by children at certain times and requiring children to be accompanied by an adult. However, the applicant has failed to consider staff training specifically what staff training, and how it will be recorded/ refreshed. Furthermore, the applicant has not considered how refusals will be recorded, what acceptable forms of ID will be accepted and how they will ensure proxy sales do not occur on the premises.</p> <p>Manchester City Councils Statement of Licensing Policy MS12 <i>Prevent underage sales of alcohol, including proxy sales</i>, states that effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Examples given of these are details of what forms of ID are acceptable, the maintenance of refusal logs and staff training. MS12 continues stating that the licensing authorities preferred approach is a Challenge 25. This approach allows for a much stronger age verification policy as it is much easier for staff to distinguish if someone is 25 or older rather than 21. Documented staff training is also expected. The applicant has not given detail to ensure the licensing objectives would be promoted and upheld.</p> <p>Giving consideration to the above policy which clearly outlines expected measures to be taken at licensed premises and the condition that the applicant has offered. The Trading Standards Service recommends the following conditions to be attached to the premises licence if granted:</p>

**Supporting Evidence:** In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

**Remove offered condition:**

- Implement a challenge 25 scheme

**Add conditions:**

- All staff authorised to sell alcohol shall be trained in:
  - Relevant age restrictions in respect of products
  - Prevent underage sales
  - Prevent proxy sales
  - Maintain the refusals log
  - Enter sales correctly on the tills so the prompts show as appropriate
  - How to refuse service
  - The conditions in force under this licence.
- Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises, that the Challenge 25 scheme is in operation.
- The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 48 hours of a request by an officer of a Responsible Authority.

**From:** Devon Bennett <devon.bennett@manchester.gov.uk>  
**Sent:** 16 December 2022 10:59  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** RE: Fw: LPA 282819 - Representation

Good Morning,

Thank you for your assistance Patrick. As the applicant has now accepted the conditions, the Trading Standards Service withdraws its representation.

Regards

Devon Bennett  
**Trading Standards Technical Officer**

Citywide Support  
Neighbourhoods Directorate  
Manchester City Council  
1 Hammerstone Road, Gorton, Manchester, M18 8EQ  
Tel External: [0161 227 3185](tel:01612273185)  
Tel Internal: [43185](tel:43185)  
Mobile: [07733038926](tel:07733038926)  
[devon.bennett@manchester.gov.uk](mailto:devon.bennett@manchester.gov.uk)  
[www.manchester.gov.uk](http://www.manchester.gov.uk)



**From:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Sent:** 15 December 2022 12:36  
**To:** Devon Bennett <devon.bennett@manchester.gov.uk>  
[REDACTED]  
**Subject:** Re: Fw: LPA 282819 - Representation

Hello Devon

Please see the email below from the applicant accepting your conditions. As your conditions have been agreed, will you now withdraw your representation?

Natalie: Normally it would be up to you to send an email to the person making the representation stating you accept their conditions. I have done this for you on this occasion.

Regards

Patrick

Premises Licensing  
Growth and Development  
Manchester City Council  
Level 1 Town Hall Extension

Albert Square  
PO Box 532  
M60 2LA  
Email: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)  
Web: [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing)

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**From:** [REDACTED]  
**Sent:** 15 December 2022 12:30  
**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>  
**Subject:** Re: Fw: LPA 282819 - Representation

Hi Patrick

Thank you for forwarding this email on to me.  
I spoke to Devon Bennet yesterday and I whole heartedly accept the conditions he has proposed for the premises licence.  
I have tried to call him today but not managed to touch base with him.  
Just wanted to know what is expected of me now ie do I just respond to you accepting the conditions or should I speak to Devon or just email him accepting the conditions?  
Would appreciate your advice so it's done today.

Many thanks  
Natalie





**MANCHESTER  
CITY COUNCIL**

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

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

Premise Details	
Application Ref No	REF:M282819
Name of Premises	Swanky's
Address	320 Wilmslow Road, Manchester, M14 6XQ

Representation
<p>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.</p> <p>Licensing and out of hours team have assessed the likely impact of the granting of this licence taking into account a number 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 licence could lead to issues of public nuisance.</p> <p>This premises falls within the Fallowfield special policy area and as such section 5.7 of the statement of licensing policy 2021-2026 applies (see below).</p> <p><i>5.7 The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.</i></p> <p>The application does not specifically demonstrate how they will not add to the cumulative impact already being experienced.</p> <p><i>The policy also states, Alcohol lead venues operating after 11: 30pm.Strong presumption against and a genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.</i></p> <p><i>5.10 Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule to rebut this presumption.</i></p> <p>The application does not address the implications of the special policy, does not demonstrate there will be no harm to the licensing objectives or present a genuinely exceptional case, so there are no grounds to depart from policy or rebut the strong presumption against granting this licence.</p>

On the balance of probabilities, the granting of this licence is likely to undermine the licensing objectives, especially in regard to public nuisance. Above the premise will be a 5-bed duplex student apartment, there are apartments above the neighbouring shops and a block of 18 residential flats directly adjoining to the rear. There are 2 other large flat blocks, Mayfair Court 80 flats and 2 Willow Bank 17 flats, within 50 metres and having a premises with a large outdoor area, regular music events until 2am, midweek quizzes and karaoke nights is likely to cause a noise nuisance to the residents of the apartment above and surrounding residential properties even if the work recommended in the noise impact assessment is completed and staff complete external sound checks. Noise (music) from within the premises is likely to transmit through the structure of the building and could cause a nuisance to the surrounding residential properties as is noise from the outdoor area, groups lingering outside smoking and congregating at closing. The operating schedule states there will be a dispersal policy but does not give any specifics or details how they will implement and manage this. The operating schedule does not address possible noise nuisance from waste being put into bins late at night, the collection of those bins during the early hours or their safe storage. The operating schedule in the application does not detail how they will train staff to suitably manage challenging customers, any conflict or any other issues that could lead to public nuisance and undermine the licensing objectives. While some of the conditions offered in the operating schedule go somewhat toward upholding the licensing objectives the lack of detail or robust enforceable conditions concern me as to whether the application fully understands the licensing objectives or the cumulative impact policy.

Also granting the hours requested, midnight on Sundays and 2am every last Saturday of the month and Bank holidays, would conflict with the hours permitted by planning (see points 3 and 4 below). The council's planning committee limited the opening hours to safeguard the occupiers of nearby residential properties and thus help prevent public nuisance.

*3) The premises shall not be open outside of the following hours:*

*08.00 - 00.00 Monday to Saturday*

*09.00 - 23.00 Sundays and Bank Holidays*

*Reason - To safeguard the amenities of the occupiers of nearby Residential accommodation*

*4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily.*

The statement of licensing policy also states.

*7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.*

Other than having security on at weekends the application does not offer any detailed plan of how they will mitigate this increased risk of opening later and uphold the licensing objectives especially in relation to crime, disorder, or public nuisance.

I therefore ask this application is refused on the grounds of public nuisance.

Recommendation: Refuse Application

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

## About the Premises

Application Reference No.	LPA 282819
Name of the Premises	<b>Swanky's</b>
Address of the premises including postcode	<b>320 Wilmslow Road, Manchester M14 6XQ</b>

## Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence 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.

The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises are situated on Wilmslow Road, Fallowfield which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically, the application is seeking to allow the provision of alcohol, regulated entertainment and late-night refreshment until 0000 hours 7 days a week, with seasonal variations until 0200 hours.

The Wilmslow Road corridor suffers from littering, noise disturbance and other anti-social behaviour and to allow the premises to remain open until these times is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The area where the premises are situated is subject to a Cumulative Impact Policy due to the problems in the area with night time economy related issues, many of which are noise, littering and anti-social behaviour related.

There is therefore a strong presumption against further alcohol and late-night refreshment premises in this area and GMP can see no reason why this should not be the case with this application. The applicant has not demonstrated how by having another such premises in this area they will not add to the cumulative issues within the area.

MCC's licensing policy states that a genuinely exceptional case would need to be shown. The reasons for this exception should be shown within the operating schedule and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.

While the contents of the operating schedule are a matter for the applicant, where there is objection to a schedule that departs from the Policy, the licensing subcommittee hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced

Greater Manchester Police would therefore ask that the application be refused.

**RES1****From:** webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>**Sent:** 03 December 2022 10:08**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Subject:** Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	[REDACTED]
<i>Last name:</i>	[REDACTED]
<i>Building number or name:</i>	[REDACTED]
<i>Street:</i>	[REDACTED]
<i>Area:</i>	[REDACTED]
<i>Postcode:</i>	[REDACTED]
<i>Email :</i>	[REDACTED]
<i>Application reference number:</i>	282819/PW5
<i>Premises name (if known) and full address this representation relates to:</i>	Swanky's 320 Wilmslow Rd, M14 6XQ
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of crime and disorder
<i>Which of the licensing objectives are relevant to your</i>	Public safety

Question	Response
<i>comments on this application: :</i>	
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The protection of children from harm
<i>Please state your comments on this application :</i>	As we know, in this area with such a high density of University students and transient residents, alcohol consumption contributes significantly to noise, nuisance and anti-social behaviour. The proposed bar is located within the special Cumulative Impact Policy area. For any new licenses, the applicant needs to be able to show that they will not add to the problems that exist and that there is a genuinely exceptional reason for the council to depart from this policy.

**RES2****From:** webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>**Sent:** 03 December 2022 18:55**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Subject:** Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	[REDACTED]
<i>Last name:</i>	[REDACTED]
<i>Building number or name:</i>	[REDACTED]
<i>Street:</i>	[REDACTED]
<i>Area:</i>	[REDACTED]
<i>Postcode:</i>	[REDACTED]
<i>Email :</i>	[REDACTED]
<i>Application reference number:</i>	Subject: Premises Licence (new) 282819/PW5: Swanky's, 320
<i>Premises name (if known) and full address this representation relates to:</i>	320 Wilmslow Road, Manchester, M14 6XQ
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of crime and disorder
<i>Which of the licensing objectives are relevant to your</i>	Public safety



Question	Response
<i>comments on this application: :</i>	
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	<p>As we know, in this area with such a high density of University students and transient residents, alcohol consumption contributes significantly to noise, nuisance and anti-social behaviour. The proposed bar is located within the particular Cumulative Impact Policy area. This application and possible go-ahead would add further issues to a small area which contributes to significant social problems of ASB due to a students being drunk on the streets after 11 am. The noise of drunken students and others buying alcohol after 11an affected children's lifestyles and all our sleep due to the noise caused by drunk students asb. I report glass on the street daily due to bottles being dropped late at night. We can't cope with the current issues without adding another Retailer selling alcohol in a high-density student area. This application would add to the issue and misery in the area, causing ABS, litter and crime. I'm sick of reporting vomit on the streets - this application would only add to the issues. Please do not allow this application to go ahead</p>

**RES 3**

[REDACTED]

Application Type: Premises Licence (new)

Reference: 282819/PW5

Premises: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ

General description of premises as given by the applicant:

Café bar with associated toilet facilities with outside seating area to the front.

Proposed hours and licensable activities:

**Provision of regulated entertainment (live music, recorded music) (Indoors):**

Mon to Sun 11pm to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

**Provision of regulated entertainment (anything of a similar description to live music, recorded music or performances of dance) (Indoors):**

Mon to Sun 11pm to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve until 2am

**Provision of late night refreshment (Both on and off the premises):**

Mon to Sun 11pm to 12 midnight

**The supply of alcohol for consumption (both on and off the premises):**

Mon to Sun 9:30am to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

**Opening hours:**

Mon to Sun 9:30am to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

## Comments of Withington Civic Society

We object to the application.

In the first place any licence given to the applicant should not exceed the hours for which planning permission was granted as recently as June 2022, (132530/FO/2021) as follows:

3) The premises shall not be open outside of the following hours: 08.00 - 00.00 Monday to Saturday 09.00 - 23.00 Sundays and Bank Holidays. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

We support this decision and the reasons given.

In addition these premises fall within the Cumulative Impact area of Fallowfield. According to the Council's Statement of Licensing Policy 2021 – 2026:

“The Council has received satisfactory evidence (considered by the Licensing Policy Committee at its meeting on 21 January 2013 and Council on 30 January 2013) that the cumulative impact of licensed premises in the geographical area identified on the map in Appendix 7 is undermining the promotion of the licensing objectives in relation to crime and disorder and public nuisance. The Council has taken into consideration the contents of the ‘Review of the Impact of Licensed Premises in Fallowfield – Consultation Analysis’ Licensing Policy Committee Report dated 21 January 2013, and determined the Special Policy should be implemented as proposed in that report. The reasons for this policy approach, originally set out in section 8 of that report, are set out below:

‘The predominant concentration of licensed premises is within the Fallowfield area. This area suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas, which is demonstrated in the Cumulative Impact Analysis (Appendix 5 of The Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012). The levels of crime recorded with an alcohol marker have risen annually between 2009 and 2011, of which there is the strongest concentration in the late evening and early hours of the morning. The degree of antisocial behaviour recorded in the area is also significantly disproportionate compared to the rest of the former B & C policing divisions, since conjoined to form the E division. Between 2009 and 2011, the average rate of antisocial behaviour per square kilometre in the E division was 343 incidents per square kilometre compared to an average of 2,180 incidents per square kilometre in Fallowfield. Similarly, antisocial behaviour levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

The complaints about antisocial behaviour from local residents, received both prior to and in response to the policy consultation, repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield. Problems of preloading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield. Therefore, the policy in Fallowfield aims to prevent further alcohol-related crime and antisocial behaviour arising in the area from the customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime and antisocial behaviour, and hours likely to affect the ability of local residents to get a good night's sleep. Additionally, the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to preloading en route to licensed premises, and hot food takeaway wrappers at the end of the night".

### The 2021 Policy continues:

5.4 This Policy has been reviewed and updated analysis of the Policy area shows that there is still a far higher concentration of levels of issues in the area, compared to both the adjacent Withington Special Policy area, as well as the wider South Manchester 'E' policing division.

5.5 Over the past three financial years, an average of 38% of victim-based crime in the Fallowfield/Wilmslow Road Policy area happened between midnight and 5am, compared with 16% in the Stress area and 20% in the E division as a whole. Over the same three years, an average of 40% of antisocial behaviour in the Policy area happened between midnight and 5am, compared with 18% in the Stress area and 20% in the E division as a whole. 5.6 Therefore, the authority considers it appropriate to retain the Policy for 'Fallowfield and Wilmslow Road' as it stands .

We agree with these findings. Yet another outlet for late night drinking is very likely to add to problems involving:

Public Nuisance (noise & litter)

Crime & disorder.

At paragraph 5.7 the Policy states further:

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced

The applicant will no doubt say that this bar falls within an area of many such bars. This is precisely the point so far as we are concerned. The Cumulative Impact Policy was introduced to deal with this problem and prevent it getting any worse. No exceptional reason has been put forward for the requested late opening hours.



**RES4****From:** Fallowfield Community Guardians <[REDACTED]>**Sent:** 20 December 2022 13:14**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Cc:** alan.isherwood <alan.isherwood@gmp.police.uk>; Fraser Swift

&lt;fraser.swift@manchester.gov.uk&gt;; Clare Myatt &lt;clare.myatt@manchester.gov.uk&gt;

**Subject:** Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians as agreed at our meeting on December 7th 2022. We wish to strongly object to the application for an alcohol licence and late night opening hours at 320 Wilmslow Road, M14 6XQ.

The main reason for our objection is that the current number of licensed premises in Fallowfield District Centre (54 licensed premises) already cause residents many problems; in particular in terms of noise, nuisance, littering, criminal damage and anti social behaviour. These problems have been going on for years and are so pronounced that a cumulative impact policy zone has been assigned to Fallowfield District Centre to try and prevent further problems. The CIP was introduced in 2013 and remains in place following a review in 2021. Swanky's falls right in the heart of this CIP zone. Adding another bar selling alcohol will undoubtedly add to the existing problems. There are no exceptional reasons given by the applicant to deviate from this policy. MCC Statement of Licensing Policy 2021-2026 recommends refusal "*The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced*"

We believe that the licensing objectives will be undermined if another bar is added to the existing licensed premises. The premises at 320 Wilmslow Road is at a particular flash point location with other pubs and clubs in very close proximity whose licenses were granted before the Cumulative Impact Policy was implemented. The Friendship Inn, Wetherspoons and Nest nightclub are within a few metres of Swanky's around the Egerton Road, Wilmslow Road junction. These three licensed premises cause considerable problems for residents and relate to public nuisance and public safety. Everyday occurrences include broken glass on surrounding pavements, vomit, litter and noise from patrons drinking in outside areas. Noise of patrons going to and from premises also creates a lot of sleep disturbance for residents. It is not just the density of existing licensing premises that is a problem, it is also the vast concentration of University students located in the M14 6 sub postcode. There is a very unbalanced population of transient young people living in this neighbourhood who populate the area during academic term times and this creates many problems for those in our area who live here all year around.

Fallowfield has recently been in the national news following the murder of a student in the early hours of the morning at the end of October 2022. Just this week another serious incident occurred in the District Centre. In our experience of living in this area, we know that the consumption of alcohol and drugs exacerbates the problems which create so much anti social behaviour.

## **University student stabbed to death in Fallowfield – Greater Manchester**

### **Police**

The force said a 19-year-old boy was fatally stabbed in the student area in the early hours of Wednesday morning.

### **Laura Parnaby**

Wednesday 26 October

2022

<https://www.independent.co.uk/news/uk/greater-manchester-police-cpr-manchester-crimestoppers-university-b2211285.html>

Another serious incident happened yesterday evening in Fallowfield:

## Huge emergency services response on Wilmslow Road after serious assault on man

Images from the scene show around seven police vehicles and three ambulances in the Cawdor Road area off Wilmslow Road.

- **Bookmark**

BY

**James Holt**Reporter

- **UPDATED**22:01, 18 DEC 2022L
- [HTTPS://WWW.MANCHESTEREVENINGNEWS.CO.UK/NEWS/GREATER-MANCHESTER-NEWS/LIVE-UPDATES-POLICE-AMBULANCES-SCENE-25784047](https://www.manchestereveningnews.co.uk/news/greater-manchester-news/live-updates-police-ambulances-scene-25784047)

Our group have been meeting monthly since 2006 and at all of our meetings residents recount incidents of noise and anti social behaviour which often relates to the consumption of alcohol in bars and clubs as well as on-street drinking and house partying. This has a terrible effect of many of us and affects our sleep, health and well being. Alcohol is a root cause of many of these problems. **World Health Organisation research highlights that: "Restriction of availability has been assessed as a highly cost-effective best-buy intervention...Countries are recommended to regulate... to reduce the hours of sale (a highly cost-effective measure) and density of outlets."** <https://www.who.int/initiatives/SAFER/alcohol-availability>

Residents in our group are suffering immense stress and strain from living close to Fallowfield District Centre.

We also note that planning conditions have recently been set for this premises and we consider the reasons given by MCC important to protect the amenity of residents. We hope that the committee will be mindful of these conditions in relation to this application.

We do not have a problem with the premises being operated as a cafe / hairdressers but we completely oppose the late night hours requested and the sale of alcohol as this will undoubtedly add to the cumulative problems that already exist. We see no exceptional reason to depart from this policy and for all the reasons outlined above we request that this application be refused and that the Cumulative Impact Policy be upheld

Yours

██████████

Community Guardian Coordinator  
Fallowfield & Withington.



RES5

**From:** [REDACTED]  
**Sent:** 20 December 2022 18:19  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
 [REDACTED]

**Subject:** Premises Licence (new) 282819/PW5: Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ, (Old Moat Ward)

**Your Ref: Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ, (Old Moat Ward)**

To whom it may concern;

I am a long-term resident of [REDACTED] (since 1985) and I am objecting to the request for a license for alcohol licence and late-night opening hours; at the site location: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ.

These premises (320 Wilmslow Road, Manchester, M14 6XQ that is) are situated on Wilmslow Road, Fallowfield, which is one of the main arterial routes into and out of Manchester City centre.

It is in very close proximity to myself on [REDACTED] and local residential properties and is also in an area where there are several bars, public houses & off licenses and one of the largest student populations in Europe.

The Wilmslow Road area of Fallowfield has a Cumulative Impact Policy (What this means is that this area has been identified as one in which there is a concentration of licensed premises which is deemed maximum for an area to contain and that the hours in which premises can open and supply alcohol are already at the earliest and latest times acceptable for the area) this application, is only going to add to problems of drunken street noise and nuisance.

The request for a fresh alcohol licence and late-night opening hours, particularly in the light of what's been happening in the near vicinity in Fallowfield (a murder, serious assaults etc), quite frankly, beggars belief.

The "Fallowfield Brow area" (an area encompassing a canopy of 7 x streets. 5 x streets moving South to North & 2 x streets East to West, lies just North of "Swanky's", the party/club fested, drunken drugged up conurbation, that's really fit for no human life or existence, becoming one giant noise fest; people to and fro, taxis to and fro, shouting, screeching, hollering, yelling, "music" pumping out ad finitum, from early evening until 6am in the morning.

**Recent Personal example of this behaviour?** For Sure:-

**Tuesday 29<sup>th</sup> November at the end of Landcross Road;** yards from where, 4 x weeks prior, a 19-year-old student had been stabbed to death.

It was around 10:30pm at night; I'd just come off a bus from the town centre (Classical music concert at the Bridgewater Hall) and was making my way home to [REDACTED].

The noise was deafening; coming from "256" (the huge drinking emporium at the end of Landcross Road) 2 x humans were urinating - one in a doorway and one in an alley at the top of Landcross Road and another was vomiting against the railings.

Making my way through this mayhem, I tripped on one of the latest “must have” psychoactive substance (nitrous oxide/laughing gas) industrial size bottles (they weigh 1.4kg) which litter the streets in the area (see picture below)



With this party/club fested, drunken, drugged up zombified mass making its way back (post the late-night closing times) through the Brow Streets to their rented accommodation, screeching and hollering as it went, I had little sleep that night (as most nights)  
 Any addition to this already over-capacity hellish nightmare, is only going to further embellish the abhorrent sounds and pictures to this forlorn landscape and causing further suffering to the local residents.

In addition, In the four years that I've purchased my car, and parked up outside my house, it has been “hit/vandalised” 8 x times. Here's one incident and most pertinent to this application; a cctv still of a pair of drunken students smashing into the nearside door, causing two huge dents in it (from 08-12-19 @ 05:39am)



Personally? I am at the very end of my tether in this Fallowfield Brow area; suffering from extreme sleep deprivation, being awoken in the small hours from the transient noise (much of it, created by patrons of drinking emporiums and off licences that provide the liquor) pervading the streets here.

And does the patron of this proposed “much needed” new “Swankeys” drinking emporium really have a grip on what's going on here in this area? Or care? Most certainly, no moral compass. In summation

to this little paragraph; Just another cynical, uncaring, feckless individual, out to exploit the get down 24/7 party/club liquor saturated zombie wallets and purses that totter around the M14 streets.

No more, thank you, enough is enough.

I would be very grateful if you could consider these points,

Yours sincerely,

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

**From:** SEFRG [REDACTED]  
**Sent:** 21 December 2022 19:41  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Licence Application 282819/PW5 Swankys Bar Ltd, 320 Wilmslow Road, M14 6XQ

Dear Sir/Madam,

Re: Licence Application 282819/PW5  
Swankys Bar Ltd, 320 Wilmslow Road, M14 6XQ.

I am writing on behalf of South East Fallowfield Residents' Group to object in the strongest terms to the above licence application. At every residents' meeting I have attended the problems of ASB (littering including drug/alcohol debris, noise, drug dealing, theft/burglary, intimidation, vandalism etc) and crime are highlighted and it is our view that these are closely related to the numbers of licensed premises in this area and the fact that Fallowfield is home to a very large transient population, many of whom are students at the universities.

This new bar application by Swankys Bar Ltd is in Fallowfield district centre which is designated a Cumulative Impact Policy (CIP). The special licensing policy means that no new licences should be granted here unless there are 'genuinely exceptional reasons for departing from it'.

The CIP was first introduced in 2013 because it was seen that the number, type and density of licensed premises in Fallowfield District Centre were impacting adversely on the licensing objectives. The policy was recently reviewed in 2021 and still stands.

In the last few months alone we have seen a number of very serious incidents in the area which we strongly believe are linked to the availability of alcohol and the late night 24/7 culture in this suburb (in particular please note the recent fatal stabbing on Wednesday, 26th October which took place c 0.2 miles from Swankys at 2am in the morning) <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/murder-investigation-underway-after-student-25360729.amp>. We are not talking about a city centre here, this is a residential area and yet we now have in excess of 50 licensed premises on a stretch which is less than half a mile in length. This is a higher density than most city centres have and it is absolutely clear to anyone who lives here that we do not have the resource to adequately police this.

Fallowfield has much to offer residents in terms of its transport links, access to green space, schools and proximity to popular neighbouring suburbs however the levels of anti social behaviour and crime mean that long term residents (who have a choice) are constantly driven away because they cannot stand living here. We need more residents to lay down roots here because a balanced neighbourhood is a functional - and safe - neighbourhood and that benefits the whole community.

Manchester's Statement of Licensing Policy, section 5.2 'Special Policy Areas' states that MCC have received 'satisfactory evidence that the cumulative impact of licensed premises.... is undermining the licensing objectives in relation to crime and disorder and public nuisance'. It goes on to mention that there are a significant number of crimes with an alcohol marker, that most crimes take place in the late evening/early hours of the morning and that the degree of anti social behaviour is also 'significantly disproportionate' compared to neighbouring areas.

It is clear therefore that it is not just our perception that much of the problems here are caused by the density and type of licensed premises but MCC and the police also have evidence of this connection. We therefore cannot understand how granting a licence in any form to Swankys would not add to the harm.

Having had the misfortune to attend many licence hearings over the last 4/5 years, I have noticed that applicants often (at least initially) make excessive applications asking for incredibly long opening hours and to serve alcohol and hot food both on and off premises -and sadly this application is no exception. Swankys Bar Ltd have applied for a 2am closing time for up to 64 days a year and that's excluding any Temporary Event Notices which are a further add -on. They also want to operate as a takeaway and an off licence... in a cumulative impact policy area.

I think excessive applications like this mean that residents naturally focus their objections on the extremes of these requests rather on the simple point which is we don't want any more licences here at all, there are far too many already and this is causing damage to our physical and mental health and well-being. As a result the panel may not realise the true impact on our lives of yet another new licence, albeit on slightly reduced terms and so we see compromise licences being granted.

MCC's Statement of Licensing Policy states that the effect of the special policy is that the panel will refuse all new applications (or licence variations) 'whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced'. This seems to suggest that giving a new licence under reduced terms should not be an option where the panel might think that it will 'only' lead to a bit of extra harm. It should only be an option if the applicant really can prove that their application would definitely not lead to ANY further problems at all, or that there are truly exceptional reasons for departing from the policy. This is, of course, a very high threshold and I am sure that Swankys could not show this is the case.

If this application was granted it would definitely lead to increased noise, litter and ASB. It will also result in more people hanging around on this stretch of road and that, in itself, poses problems with dealers etc targeting drink and drug addled

patrons as they go to and from the various bars and takeaways with a misguided sense of security because they live in Fallowfield which many regard as an off shoot of the Owens Park campus.

We urge you to reject this application in full.

Yours faithfully,

[REDACTED]

[REDACTED] South East Fallowfield Residents' Group

**From:** Fallowfield Community Guardians [REDACTED]  
**Sent:** 21 December 2022 18:49  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** sherwoodtra [REDACTED]  
**Subject:** Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road M14

FAO Case Officer [REDACTED]

Dear Patrick,

[REDACTED] of Sherwood Tenants & Residents Association has asked me to type up and send this objection on her behalf because she is unwell at present and is having difficulty typing.

We hope you will be able to accept this representation and if you need to speak to [REDACTED] to confirm that she has asked me to do this, I can pass on her phone number to you.

Kind regards

[REDACTED]

Dear Sirs

I write on behalf of the residents of the Sherwood Estate, Fallowfield regarding this new application to trade until 2.00am on many nights of the year as well as late nights until midnight throughout the week. This is a new application to sell alcohol at a former hairdressing salon at 320 Wilmslow Road in Fallowfield District Centre. We wish to register our objection to the sale of alcohol because this is a new premises in a Cumulative Impact Policy area.

As long term residents living so close to Fallowfield District Centre we see on a daily basis the litter and glass left from our nearby clubs and bars. These premises are very close to our estate and so many of the patrons of the proposed bar will pass by our homes when walking back to their shared accommodation. We are badly disturbed on a regular basis by street noise of those going to and from the licensed premises in Fallowfield. We do not want any more licensed premises to add to the night noise and nuisance that we already have.

There are many families living on our estate who have children with ages ranging from 0 – 18 suffering from disturbed sleep which is particularly noticeable during University term times; this is because transient noise travels from Wilbraham/Wilmslow Road area of Fallowfield District Centre bars and takeaways. The majority of businesses trading within FDC operate late into the night and this business also wishes to have outdoor seating. Sherwood residents are not reassured that there will be no additional cumulative impact, we are convinced that there will be an increase in public nuisance due to the proximity of this business to our homes. Students tend to walk in groups of at least 4 and wake us up due to their shouting, loud screams and sounds of general merriment after drinking alcohol- at volumes more suited to daytime hours rather than the early hours of the morning walking through a residential area..

We are concerned that should this licence be granted, with hours as applied for, it will increase night time noise disturbance.

We can see no reason to depart from the policy as there is nothing new on offer which Fallowfield doesn't already have.

We can see no merit in permitting these premises to add another venue selling alcohol to Fallowfield District Centre and respectfully ask that this application is refused in full and that the Cumulative Impact Policy is upheld.

Yours faithfully

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██████████ Sherwood TRA  
Community Guardian

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The outside seating area shall be enclosed.</li> <li>2. There shall be ID checks on doors / inside the premises at the bar.</li> <li>3. The premises shall adhere to all health and safety requirements.</li> <li>4. Additional staff and security staff shall be employed on Fridays/Saturdays</li> <li>5. Anti-social behaviour shall be discouraged on entering and exiting property.</li> <li>6. A challenge 25 scheme shall be implemented at the premises.</li> <li>7. CCTV shall be provided inside and outside the premises.</li> <li>8. There shall be security personnel on Friday, Saturday and special seasonal events to protect customers, keep them safe and help them to exit the property quietly and safely.</li> <li>9. An unmanageable number of customers shall not be allowed entrance to the premises.</li> <li>10. Management shall work with the police to implement a dispersal plan.</li> <li>11. The premises shall adopt a no tolerance to drugs policy with an instant lifetime ban for persons found using drugs on the premises.</li> <li>12. There shall be outdoor lighting down the alleyway to deter any antisocial behaviour and loitering.</li> <li>13. Drunken customers shall not be served and will be helped to leave the premises safely.</li> <li>14. Staff shall be first aid trained.</li> <li>15. Staff shall discourage anyone who they think may want to drink drive and ring the police if they do so.</li> <li>16. Staff shall encourage silent exiting of the premises and deter customers from making a nuisance of themselves.</li> <li>17. The premises shall join the local pub watch scheme when one is available.</li> <li>18. The premises shall work closely with other such establishments in the area to avoid anti-social behaviour.</li> <li>19. Staff shall not allow drunken customers to enter the premises.</li> <li>20. A dispersal plan shall be implemented at the premises.</li> <li>21. Staff shall check sound levels regularly.</li> <li>22. All children are to be accompanied at all times by an adult.</li> <li>23. The premises shall exercise control of child admissions along with a cut off time that children are allowed on the premises.</li> <li>24. Families will be welcome on the premises.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
<p><b>Remove offered condition:</b></p> <p>1. Implement a challenge 25 scheme</p> <p><b>Add conditions:</b></p> <p>1. All staff authorised to sell alcohol shall be trained in:</p> <ol style="list-style-type: none"> <li>a. Relevant age restrictions in respect of products</li> <li>b. Prevent underage sales</li> <li>c. Prevent proxy sales</li> <li>d. Maintain the refusals log</li> <li>e. Enter sales correctly on the tills so the prompts show as appropriate</li> <li>f. How to refuse service</li> <li>g. The conditions in force under this licence.</li> </ol> <p>2. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.</p> <p>3. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p> <p>4. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.</p> <p>5. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises, that the Challenge 25 scheme is in operation.</p> <p>6. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>7. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 48 hours of a request by an officer</p>	Yes (all)	Trading Standards

## Schedule of Licence Conditions

of a Responsible Authority.		
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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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