



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 19 June 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 entrances of the Extension.**

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

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**Councillors** - Andrews, Evans and Hewitson

## 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 Premises Licence Variation - Area, 50 Sackville Street, Manchester, M1 3WF**

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

**5. Application for a New Premises Licence - Affetto Food Ltd, 386 Barlow Moor Road, Manchester, M21 8BH**

99 - 176

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

**6. Application for a Premises Licence Variation - Seven Sins, Unit G1, The Hive, 47-51 Lever Street, Manchester, M1 1FN**

177 - 236

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

**7. Application for a Premises Licence Variation - Love Factory, 200-204 Dantzic Street, Manchester, M4 4DD**

237 - 428

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

**8. Temporary Event Notice - NIAMOS Arts and Cultural Centre, Nia Centre, Chichester Road, Manchester, M15 5EU**

Report to follow.

## 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 **Friday, 9 June 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 Subcommittee Hearing Panel – 19 June 2023

**Subject:** Area, 50 Sackville Street, Manchester, M1 3WF - App ref: Premises Licence variation 284779

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

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**Summary**

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

**Recommendations**

That the Committee determine the application.

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**Wards Affected:** Piccadilly

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

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

Equal Opportunities Policy  
 Risk Management  
 Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Name: Patrick Ware  
 Position: Technical Licensing Officer  
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**Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy.
- Guidance issued under section 182 of the Licensing Act 2003.
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 18/01/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Area, 50 Sackville Street, Manchester, M1 3WF in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **Current Licence**

- 2.1 The premises licence holder is RVLC Limited and a copy of the current licence is attached at **Appendix 2**.

## 3. **The Application**

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

### **Proposed hours and licensable activities:**

Provision of regulated entertainment (live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance) to take place indoors:

Current hours: Mon to Sun 11am to 3:30am

Proposed hours: Mon to Thu 11am to 3:30am, Fri to Sat 11am to 5am

Existing seasonal variations and non-standard timings to remain on the licence.

Provision of late night refreshment to take place indoors:

Current hours: Mon to Sun 11pm to 3:30am

Proposed hours: Mon to Thu 11pm to 3:30am, Fri to Sat 11pm to 5am

Existing seasonal variations and non-standard timings to remain on the licence.

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

Current hours: Mon to Sun 11am to 3:30am

Proposed hours: Mon to Fri 11am to 3:30am, Fri to Sat 11am to 5am

Existing seasonal variations and non-standard timings to remain on the licence.

Opening hours:

Current hours: Mon to Sun 11am to 4am

Proposed hours: Mon to Thu 11am to 4am, Fri to Sat 11am to 5:30am

Existing seasonal variations and non-standard timings to remain on the licence.

3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

### 3.3 **Activities unsuitable for children**

3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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

3.4.1 Beyond the conditions already included in the currently granted Premises Licence, the applicant has not proposed any further steps or conditions to promote the licensing objectives.

## 4. **Relevant Representations**

4.1 A total of 11 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

#### Other Persons:

- Local business (1);
- Residents (10).

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Local business	Concerns regarding the Public Safety, Prevention of Public	Refuse

	Nuisance and the Prevention of Crime and Disorder Licensing Objectives. The objector reports cases of sexual activity, fighting, urination and defecation in the street; mass brawls and overcrowding outside the venue resulting in police attending; pollution and noise from NO <sub>2</sub> canisters; noise from club-goers, their vehicles and taxis; music from vehicles; and the impact on police required to monitor the area.	
<b>Residents (x10)</b>	Concerns regarding the impact on nearby residents with reports cases of sexual activity, fighting, urination and defecation in the street; mass brawls and overcrowding outside the venue resulting in police attending; pollution and noise from NO <sub>2</sub> canisters; noise from club-goers, their vehicles and taxis; music from vehicles; the impact on police required to monitor the area; and an increase in crime including thefts from property.	Refuse

4.3 The objectors have not proposed any conditions.

4.4 No agreements on conditions have been reached.

## 5. **Key Policies and Considerations**

### 5.1 **Legal Considerations**

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

### 5.2 **New Information**

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

### 5.3 **Hearsay Evidence**

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

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

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

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

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

#### 5.5 **Manchester Statement of Licensing Policy**

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

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

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

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

##### ***Section 6: What we aim to encourage***

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants

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

### ***Section 7: Local factors***

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- 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  |
| MS4 | Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises |
| MS7 | Maintain a safe capacity  |
| MS8 | Prevent noise nuisance from the premises  |

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

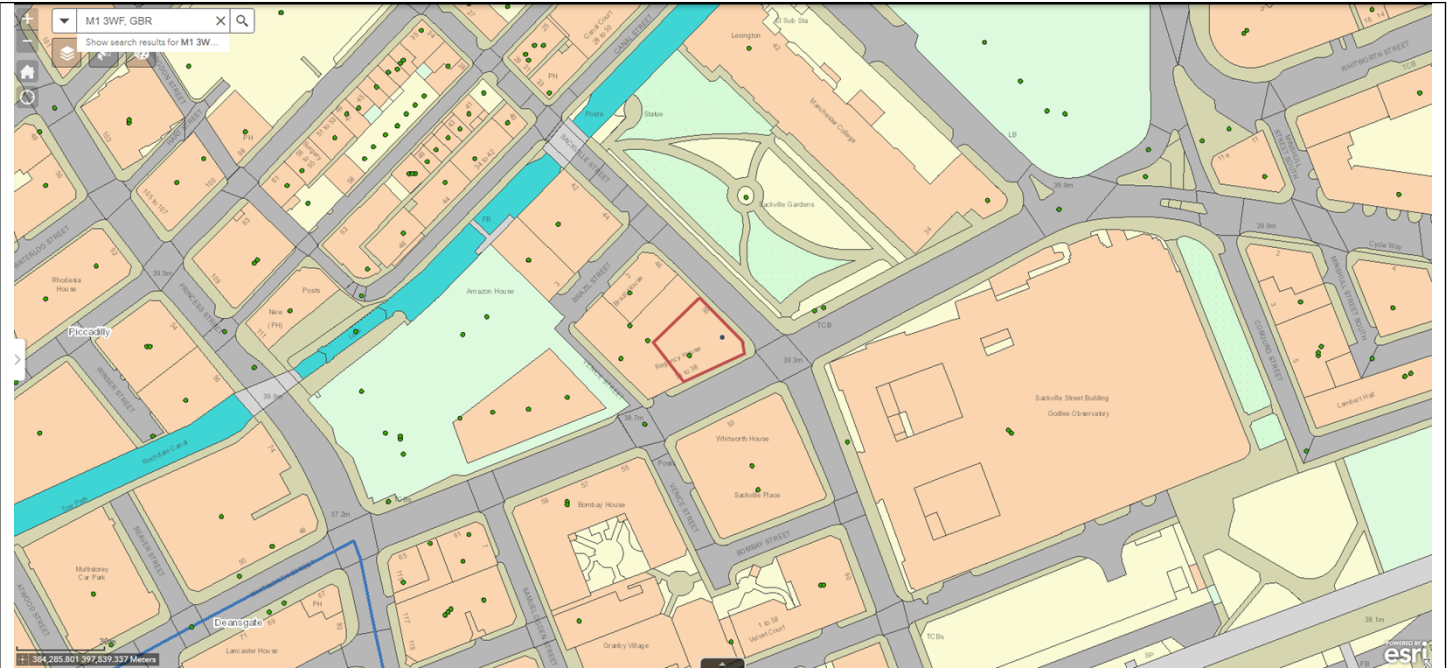
## 6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
  - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**



Area  
 50 Sackville Street, Manchester, M1 3WF  
 Premises Licensing  
 Manchester City Council

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<b>PREMISE NAME:</b>	Area
<b>PREMISE ADDRESS:</b>	50 Sackville Street, Manchester, M1 3WF
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	19/06/2023

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	050183
Granted	14/09/2005
Latest version	Minor variation 283705 granted 23/12/2022

### Part 1 - Premises details

Name and address of premises
<b>Area</b> 50 Sackville Street, Manchester, M1 3WF
Telephone number
0161 236 8300

Licensable activities authorised by the licence						
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> <li>Live music;</li> <li>Recorded music;</li> <li>Performances of dance;</li> <li>Anything similar to live music, recorded music or the performance of dance.</li> </ul> </li> <li>3. The provision of late-night refreshment.</li> </ol> <p>Permitted Occupancy:</p> <table style="margin-left: 20px;"> <tr> <td>Ground Floor</td> <td>350 Persons</td> </tr> <tr> <td>Mezzanine</td> <td>50 Persons</td> </tr> <tr> <td>Basement</td> <td>150 Persons</td> </tr> </table> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>	Ground Floor	350 Persons	Mezzanine	50 Persons	Basement	150 Persons
Ground Floor	350 Persons					
Mezzanine	50 Persons					
Basement	150 Persons					

The times the licence authorises the carrying out of licensable activities
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Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0330	0330	0330	0330	0330	0330	0330
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day British Summer Time commences: One additional hour following the terminal hour.							

Live music; Performances of dance; Anything similar to live music, recorded music or the performance of dance

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0330	0330	0330	0330	0330	0330	0330

Licensed to take place indoors only.

Seasonal variations and Non-standard Timings:

Sundays preceding Bank holiday Mondays (excluding Easter Sunday): Start 1200 Finish 0200.

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

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

Recorded music

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0330	0330	0330	0330	0330	0330	0330

Licensed to take place indoors only.

Seasonal variations and Non-standard Timings:

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

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

Provision of late night-refreshment

Standard timings

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

Licensed to take place indoors only.

Seasonal variations and Non-standard Timings:

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

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

Hours premises are open to the public

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0400	0400	0400

Seasonal variations and Non-standard Timings:

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

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

## Part 2

Details of premises licence holder	
Name:	RVLC Limited
Address:	Unit C Anchor House, School Lane, Chandler's Ford, Eastleigh, SO53 4DY
Registered number:	10666154

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mikele Corzato
Address:	[REDACTED]
Personal Licence number:	PERS2503
Issuing Authority:	London Borough of Lambeth

Annex 1 – Mandatory conditions
<p>Door Supervisors</p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p>Supply of alcohol</p> <p>2. No supply of alcohol may be made under this premises licence:</p> <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul> <p>3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.</p> <p>4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.</p>

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

(2) For the purposes of the condition set out in (1) above–

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### Annex 2 – Conditions consistent with the operating schedule

1. The fire-fighting equipment shall be in the charge of a person who has been trained in its use, and that person, or some other suitable person deputised to be in charge of the fire-fighting equipment, shall be present whenever the premises are in use for the purpose of this licence, and also for such period before and after the use of the premises, as may be necessary to check that the fire-fighting equipment is in order.
2. The licence holder shall ensure that noise shall not emanate from the licensed premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Any form of amplification shall be so controlled by the licensee so as to prevent such a disturbance.
3. The Licence holder shall at all times ensure that persons on or leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by.
4. The licence holder shall take all reasonable steps to ensure that persons leaving licensed premises and using adjacent car parks and highways do not conduct themselves in a manner so as to cause annoyance to residents and/or persons passing by.
5. Whilst the premises are being used for public entertainment, drunkenness or other disorderly conduct shall not be permitted. In case any disorderly conduct should occur, the Licensee shall assist in the capture, expulsion and conviction of the offender.
6. No glassware in the form of open bottles or glassware shall be taken in or off the premises.
7. Licensees, when door staff are in attendance, shall ensure that all glassware is removed from patrons entering or leaving the licensed area and subsequently safely disposed of.
8. Where the Licensee or his employer engages any persons at or about the entertainment premises in the capacity of security staff the Licensee shall maintain a log in a form approved by the Council, showing in respect of each period of duty of that person:



- a) the name, date of birth and residential address of that person;
  - b) the time at which he / she commenced that period of duty with a signed acknowledgement by that person;
  - c) the time at which he / she finished the period of duty with a signed acknowledgement by that person;
  - d) any times during the period of duty when he / she was not on duty;
  - e) if that person is not an employee of the Licensee or his / her employer, the name of the person by whom that security person is employed or through whom the services of that person were engaged.
9. The log shall be so kept that it can be readily inspected at any reasonable time by an authorised Officer of the Council or a Police Officer and, once a log has been completed, it must be retained on the premises for at least 12 months.
  10. An adequate number of suitable and efficient fire-fighting appliances shall be installed and maintained in the said licensed premises to the satisfaction of the City Architect and a record of such maintenance is to be attached or fixed to each appliance.
  11. All music (live or recorded) played must be channelled through the noise limiting device.
  12. The premises shall become a member of, and maintain its membership of, the local Pub Watch scheme.
  13. A sign shall be prominently located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.

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

1. 30 minutes before the premises closes to the public the volume of music shall be lowered to encourage dispersal.
2. Management shall liaise with local residents to resolve any problems associated with the carrying on of licensable activities. A direct telephone number for the manager of the premises shall be available to residents in the vicinity.
3. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 and 07:00 hours.
4. Door staff shall remind patrons to leave quietly upon exiting the premises.
5. SIA trained door staff shall be employed, with a register kept of all door supervisors recording details of door supervisors, i.e. name, address, date of birth, badge number, time started and finished duty, each entry shall be signed by that person. That register shall be made available to an authorised officer of the council, the security industry or a police constable.

6. The premises shall install and maintain a comprehensive CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment shall be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and shall be able to produce/download/burn CCTV images upon request by a Police Officer or an Authorised Officer of the Licensing Authority. Any footage shall be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc), a secure storage system to store those recordings mediums shall be provided.
7. A member of staff employed at the premises shall attend at least 6 meetings per year of the Pub & Club Watch.
8. Persons under the age of 18 shall be allowed in the main bar provided they are taking a meal at the premises and are accompanied by a parent or guardian aged 18 years or over.
9. A maximum of 10 persons under the age of 18 shall be allowed in the private area in the lower ground floor of the bar to attend private functions provided they are accompanied by a parent or guardian aged 18 years or over.
10. No person aged under 18 shall be on the premises after 2000.
11. On Sunday to Thursday, door supervisors shall be on duty from 21:30 hours until the area immediately outside the premises is clear of customers at the close of business. Door supervisors shall ensure that persons arriving or departing do so without causing incidents of disorder or public nuisance. Door supervisors shall be employed at the ratio of 1 door supervisor for every 100 customers (or part thereof).
12. On Fridays and Saturdays, a minimum of 2 SIA registered door-staff shall be employed from 2100 hours until the area immediately outside the premises is clear of customers at the close of business. Door supervisors shall ensure that persons arriving or departing do so without causing incidents of disorder or public nuisance. When the occupancy exceeds 200 persons, additional door supervisors shall be employed at the ration of 1 door supervisor for every 100 customers (or part thereof).
13. The Challenge 25 Scheme shall be operated at the premises to ensure that any person who appears to be under the age of 25 shall provide documented proof that they are over 18 years of age before being allowed to purchase alcohol. Proof of age shall only comprise a passport, photo card Driving Licence, HM Forces warrant card or a card bearing the PASS hologram.
14. The premises shall display prominent signage indicating that the Challenge 25 Scheme is in operation.

15. An incident log (which may be electronically recorded) shall be kept at the premises for at least 6 months and made available upon request to Greater Manchester Police or an authorised officer of the licensing authority.
16. All staff shall be trained in recognising signs of drunkenness, how to refuse service, under-aged sales and the Conditions in force under the Premises licence. Documented records of training shall be kept for each member of staff. Training shall be regularly refreshed, and records shall be made available upon request by Greater Manchester Police or an Authorised Officer of the Licensing Authority.
17. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
18. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the persons are, or appear to be, under-age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the Police or an Authorised Officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
21. A minimum of 7 days' notice shall be given to Greater Manchester Police and the Licensing and Out of Hours Team of any events held that are organised by an external promoter, including full details of the nature of the event and of the promoter.
22. All management and supervisory staff shall be trained in the Award for Personal Licence Holders following completion of a 2-month probation period.

#### Annex 4 – Plans

Plan "050503 V 283705 PLN.pdf" is attached to the licence following minor variation 283705

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

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

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

I/We RVLC Limited

*(Insert name(s) of applicant)*

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

Premises licence number 050183
-----------------------------------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Area 50 Sackville Street			
Post town	Manchester	Postcode	M1 3WF
Telephone number at premises (if any)	0161 236 8300		
Non-domestic rateable value of premises	£25,000		

**Part 2 – Applicant details**

Daytime contact telephone number		0161 236 8300	
E-mail address (optional)			
Current postal address if different from premises address		RVLC Ltd Unit C, Anchor House School Lane Chandler's Ford	
Post town	Eastleigh	Postcode	SO53 4DY

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

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

DD	MM	YYYY

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

The proposed variation is to extend the terminal hours for the sale of alcohol, regulated entertainment and Late Night Refreshment to 05.00 (the following day) on Fridays and Saturdays each week (The current terminal hour is 03.30 on the existing licence).

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

N/A
-----



**Part 4 Operating Schedule**

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

**Provision of regulated entertainment****Please tick all that apply**

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input 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)<br>(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

<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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)  N/A		
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	-----	-----	N/A		
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur	-----	-----	<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)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

## C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)  N/A
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue	-----	-----	
Wed	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur	-----	-----	
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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	-----	-----	<b><u>Please give further details here</u></b> (please read guidance note 4)  N/A		
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<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	-----	-----			
Sun	-----	-----			

## E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00 -----	03.30 -----	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11.00 -----	03.30 -----			
Wed	11.00 -----	03.30 -----	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	11.00 -----	03.30 -----			
Fri	11.00 -----	05.00 -----	<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) Existing seasonal variations and non-standard timings to remain on licence		
Sat	11.00 -----	05.00 -----			
Sun	11.00 -----	03.30 -----			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00	03.30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	11.00	03.30			
Wed	11.00	03.30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	11.00	03.30			
Fri	11.00	05.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Existing seasonal variations and non-standard timings to remain on licence.		
Sat	11.00	05.00			
Sun	11.00	03.30			

## G

Performances of dance 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)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00 -----	03.30 -----	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11.00 -----	03.30 -----			
Wed	11.00 -----	03.30 -----	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	11.00 -----	03.30 -----			
Fri	11.00 -----	05.00 -----	<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) Existing seasonal variations and non-standard timings to remain on licence.		
Sat	11.00 -----	05.00 -----			
Sun	11.00 -----	03.30 -----			



## 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		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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	11.00	03.30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11.00	03.30	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	11.00	03.30			
Thur	11.00	03.30	<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	11.00	05.00			
Sat	11.00	05.00	<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) Existing seasonal variations and non-standard timings to remain on licence.		
Sun	11.00	03.30			

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	23.00 -----	03.30 -----			
Tue	23.00 -----	03.30 -----	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	23.00 -----	03.30 -----			
Thur	23.00 -----	03.30 -----	<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) Existing seasonal variations and non-standard timings to remain on licence.		
Fri	23.00 -----	05.00 -----			
Sat	23.00 -----	05.00 -----			
Sun	23.00 -----	03.30 -----			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon	11.00	03.30			
Tue	11.00	03.30			
Wed	11.00	03.30			
Thur	11.00	03.30			
Fri	11.00	05.00			
Sat	11.00	05.00			
Sun	11.00	03.30	<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) Existing Seasonal Variations and non-standard timings to remain on licence.		

**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

<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)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	11.00	04.00	
	-----	-----	
Tue	11.00	04.00	
	-----	-----	
Wed	11.00	04.00	
	-----	-----	
Thur	11.00	04.00	<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) Existing seasonal variations and non-standard timings to remain on licence
	-----	-----	
Fri	11.00	05.30	
	-----	-----	
Sat	11.00	05.30	
	-----	-----	
Sun	11.00	04.00	
	-----	-----	

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

None

Please tick as appropriate

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

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

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

**M**

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

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

The management will continue to operate in accordance with existing policies and procedures adopted at the premises and there is no change proposed to the existing premises licence conditions.

The premises are recently under new management by an experienced operator and a full refurbishment of the premises has been undertaken. In addition, a series of 4 TENS were submitted for an additional hour on Fridays and Saturdays over the December and Christmas weekends and no problems or issues arose during those later events

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

As above

**c) Public safety**

As above

**d) The prevention of public nuisance**

As above

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

As above

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in  
relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where  
applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be  
rejected.

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

**Part 5 – Signatures** (please read guidance note 11)

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

Signature	[Redacted]
Date	18 January 2023 
Capacity	Solicitors and Agents for the Applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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



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

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**RES1**

**From:** [REDACTED] >

Sent: 09 February 2023 16:44

To: Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>

Subject: Area, 50 Sackville Street, Manchester, M1 3WF - Terminal hour extension

Dear Mr/Mrs,

Could I please raise an objection against the extension of the Terminal hour to 05:00 of Area, 50 Sackville Street, Manchester, M1 3WF?

I think it is premature to grant an extension for the opening hours of this club to 5 am when it is located within a residential building and currently is in the process of amending sound levels (but not resolved).

The sound levels have been steadily increasing, and a sound engineer has been called in however soundproofing, maximum levels, and adjustment of bass have not been fully installed/established which is already causing issues with the residents (including myself, [REDACTED]).

Many renters and owners within the building echo my sentiment in the group chat for the building.

We are happy to work with Area however the types of events run have been very different than what has been promised at the initial residents meeting with Area and sound levels have been much higher. Asking to extend hours prior to fixing these issues does not seem like the best course of action.

Kind regards,

[REDACTED]

[REDACTED]

**RES2**

**From:** [REDACTED] >  
**Sent:** 11 February 2023 14:42  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED] >  
**Subject:** RVLC Ltd application for extended licensing hours, AREA, 50 Sackville Street, M1 3WF

Dear premises licensing officers

I write to protest most strongly against the application for extended licensing hours for the premises above. I am a resident of the [REDACTED], my flat ([REDACTED]).

My objections relate to three objectives **crime prevention, public safety and public nuisance.**

The extension of licensing hours would make AREA one of the few premises in the Gay Village area open between 3 and 5 AM on Fridays and Saturdays, a magnet for late-partiers many of them arriving already inebriated. The problem of noise (public nuisance) has already become acute, not always limited to weekends only; this will extend the problem for residents. There is also the likelihood that the sale of illegal substances will increase and become extended, with the consequent threats to public safety in terms of the clientele attracted and the crime that services that clientele.

We had serious problems, extensively reported to you, with the club that occupied 50 Sackville Street before AREA. The noise levels were intolerable for residents. The new proprietors promised us consideration and attention but their promises have proven unreliable.

I hope this application can be stopped and the sound nuisance regulations enforced.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**RES3**

**From:** [REDACTED] >

**Sent:** 11 February 2023 17:45

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

**Subject:** RVLC Ltd application for extended licensing hours, AREA, 50 Sackville Street, M1 3WF

Dear premises licensing officers

I write to protest most strongly against the application for extended licensing hours for the premises above. I am a resident of the [REDACTED], my flat [REDACTED].

My objections relate to three objectives **crime prevention, public safety and public nuisance**.

The extension of licensing hours would make AREA one of the few premises in the Gay Village area open between 3 and 5 AM on Fridays and Saturdays, a magnet for late-partiers many of them arriving already inebriated. The problem of noise (public nuisance) has already become acute, not always limited to weekends only; this will extend the problem for residents. There is also the likelihood that the sale of illegal substances will increase and become extended, with the consequent threats to public safety in terms of the clientele attracted and the crime that services that clientele.

We had serious problems, extensively reported to you, with the club that occupied 50 Sackville Street before AREA. The noise levels were intolerable for residents. The new proprietors promised us consideration and attention but their promises have proven unreliable.

I hope this application can be stopped and the sound nuisance regulations enforced.

Yours sincerely

[REDACTED]  
[REDACTED]

**RES4**

**From:** [REDACTED] >

**Sent:** 11 February 2023 18:35

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

**Subject:** Objection to the Granting of an Extended 5am License to AREA, 50 Sackville Street

[REDACTED]

Dear Premises Licensing Officers,

I am writing this letter to object to the application for an extended 5am license for the AREA premises [REDACTED], and I am extremely concerned about the potential negative impacts of such an extension on the safety, security, and quality of life of residents in the building.

My objections relate to three key issues: crime prevention, public safety, and public nuisance. The extension of licensing hours would make AREA one of the few establishments in the Gay Village area that is open between 3 and 5 AM on Fridays and Saturdays, attracting large crowds of late-night partygoers, many of whom are likely to be inebriated. This would inevitably lead to increased noise levels (public nuisance), which are already a significant problem in the building and are not limited to weekends only.

Furthermore, there is a risk that the sale of illegal substances will increase and become more widespread, creating a threat to public safety in terms of the clientele attracted and the crime that services that clientele. These are serious concerns that must be taken into consideration when deciding on the granting of an extended license.

I would like to draw your attention once more to the serious problems that residents faced with the club that occupied 50 Sackville Street before AREA. Despite the promises of the new proprietors to address these issues, their assurances have proven unreliable. The noise levels were unbearable for residents, and we hope that this situation will not be repeated with AREA.

In conclusion, I strongly urge the council to take my objections into consideration and to deny the application for an extended 5am license for AREA. The sound nuisance regulations must be enforced to ensure the safety, security, and quality of life of residents in Regency House.

Thank you for your attention to this matter.

Sincerely,

- [REDACTED]

**RES5**

**From:** [REDACTED] >

**Sent:** 11 February 2023 20:40

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

**Subject:** Objection to Application to Vary Premise License for Area Club, 50 Sackville Street

Dear premises licensing officers,

I write to protest most strongly against the application to extend licensing hours for 'Area', 50 Sackville Street, M13WF. I am a resident and owner in the [REDACTED].

My objections relate to the three licensing objectives of crime prevention, public safety and public nuisance.

The extension of licensing hours would make AREA one of the few premises in the Gay Village area open between 3 and 5 AM on Fridays and Saturdays. It would become a magnet for late-partiers, many of them arriving already inebriated.

The problem of noise (public nuisance) has already become acute, not always limited to weekends only; this change in licensing will extend the problem for residents. There is also the likelihood that the sale of illegal substances will increase and become extended, with the consequent threats to public safety in terms of the clientele attracted and the crime that services that clientele.

We have had serious problems with the club that occupied 50 Sackville Street before AREA. The noise levels were intolerable for residents. The new proprietors promised us consideration and attention but their promises have proven unreliable. I strongly object to the extension of Area's opening hours, which would exacerbate the existing problems.

Yours sincerely,

[REDACTED]

Owner and resident of [REDACTED]  
[REDACTED]

**RES6**

**From:** [REDACTED] >  
**Sent:** 12 February 2023 09:15  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Response to variation of premises licence - Area, 50 Sackville St

To whom it may concern,

I write to protest most strongly against the application by RVLC limited for extended licensing hours for Area, 50 Sackville St, M1 3WF. I am an owner and resident of an [REDACTED].

My objections relate to three objectives crime prevention, public safety and public nuisance.

The extension of licensing hours would make AREA one of the few premises in the Gay Village area open between 3 and 5 AM on Fridays and Saturdays, a magnet for late-partiers many of them arriving already inebriated. The problem of noise (public nuisance) has already become acute, not always limited to weekends only; this will extend the problem for residents. There is also the likelihood that the sale of illegal substances will increase and become extended, with the consequent threats to public safety in terms of the clientele attracted and the crime that services that clientele. We have recently seen an increase in theft in the building, which is would only be exacerbated by the extended hours.

We had serious problems, extensively reported to you, with the club that occupied 50 Sackville Street before AREA. The noise levels were intolerable for residents. The new proprietors promised us consideration and attention but their promises have proven unreliable.

I hope this application can be stopped and the sound nuisance regulations enforced.

Yours sincerely

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



**RES7**

**From:** [REDACTED] >  
**Sent:** 12 February 2023 13:37  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Area licensing extension objection

Hello.

Id like to make a representation re Area club, Regency House, Sackville Street.

I understand they are asking for an extra hour on the alcohol license on Friday and Saturday taking their licensed time to 5am.

While they may only be asking for one hour this time, I have a concern about follow-up applications. We do need to draw a line somewhere.

As they are located underneath residential properties I feel the extension is inappropriate on the grounds of noise (public nuisance).

That unit has a history of noise audible in the residential units above, also previously riot police had to shut whitworth street to deal with a large crowd who had been refused entry to that unit causing a disturbance.

I acknowledge when Area first opened they operated successfully without disturbing residents, but noise complaints have started again recently. There may be an argument their clientele are not causing a disturbance either, but this is due to their nights currently being badly attended.

Im objecting as a [REDACTED] that on top if noise from their music systems, as they become more successful the public nuisance from clients leaving will increase.

There is also a risk of drug-dealing/ crime on the premises increasing.

In my opinion and experience their license extension should be refused.

Regards,

[REDACTED]  
[REDACTED]

**RES8**

**From:** [REDACTED] >  
**Sent:** 14 February 2023 14:52  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Objection to Area licence variation

Dear Sir

I would like to object to the application by Area to extend their permitted hours. The building in which the premises are situated is by far a majority residential and I don't want the existing noise problem to be exacerbated by opening further through the night. These premises are new and they claim to be operating RnB nights which have a heavy emphasis on the bass component of the music and due to the age of the building, and the lack of effective sound proofing from the premises, will cause a significant noise nuisance to the residents, both in Regency House and adjacent buildings.

The area is already well served by late night establishments and I don't believe adding another will improve the reputation of an already high crime area. The City Council has a duty, not only to the residents that pre-exist these premises, but also to their City Centre Plan and adding another all-night premises, is contrary to this plan.

I believe the extension of hours will be a breach of at least 2 of the licensing objectives - Prevention of Public Nuisance and Prevention of Crime and Disorder, and possibly that of Public Safety should there be an increase of problems from the premises, which already has a long history of issues.

Faithfully yours

[REDACTED]

**RES9**

**From:** [REDACTED] >

**Sent:** 15 February 2023 10:45

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

**Subject:** Variation of License Area, 50 Sackville Street, Manchester M1 3WF

Dear licensing team.

I'm writing as a resident of [REDACTED]  
[REDACTED]

Whilst I wish Area every success in their new venture I'd like to object on the grounds of crime prevention, public safety and public nuisance.

Whilst many of my neighbours are affected by the music played in Area, I am not, unless I venture into the car park or if I'm walking through the common areas.

However, I am occasionally disturbed in the early hours by on street noise from fights, arguments, NO2 taking and similar which can spill onto Venice St and Whitworth St.

Over the last few years, the neighbourhood has experienced serious issues with the previous club, TriBeCa, now rebranded as Area.

I appreciate the club is under new management with a new licensee but it appears they are replicating the previous tenants' strategies to attract types of events which aren't best suited to the Gay Village nor Regency House, e.g. Drum & Bass evenings.

### **Public Safety**

Previous concerns included:

Fights in the street.

Urination and defecation in the street

Mass Brawls

Overcrowding on at least two occasions

Considerable Police presence required to remove attendees due to overselling of tickets to Drum and Base events.

Who will police the area at 5am?

Drug taking.

Generators in basement.

### **Public Nuisance**

Noise from club affecting residents of Regency House.

Sexual Activity on the street

Urination on the street, especially on Brazil St

Club goes sitting on Richmond Tea Rooms steps, talking and causing noise until 5am - if granted a 5am license this will likely extend until 6am.

Nitrous Oxide canisters being used which makes a very loud hissing sound when being released in the early hour of the morning.

Pollution on the street from NO2 canisters and takeaways being discarded.  
Noise from club goers.  
Club goers playing loud music in cars on the street after hours.  
Noise from taxis illegally congregating on Sackville St and Brazil St such as beeping of horns, engines running whilst sat in cycle lanes or completely blocking the road and parking in front of gates to residential car parks.  
Noise from fights of punters arguing over taxis.  
Fights in the street.  
Arguments in the street.  
Increased police presence and noise from arrests.  
Cars playing loud music, turning on headlights and club goers dancing in front after hours.

**Crime Prevention**

Will police be able to monitor the area?  
Prevent various issues described above.

No one expects silence in the city centre but residents should be able to sleep and not have to content with unlawful disruption. How their license extends to 4am is beyond me and I hope it doesn't extend until 5am.

Many thanks for reading.

Best

██████████  
██  
██  
██  
██

**RES10****From:** [REDACTED] >**Sent:** 15 February 2023 23:58**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>**Subject:** Variation of License Area, 50 Sackville Street, Manchester, M1 3WF

I am writing on behalf of my mother [REDACTED] who is resident in [REDACTED]  
[REDACTED]  
[REDACTED] for council tax purposes. She has been living in the property for 18 months and during this time has experienced public nuisance, crime prevention and public safety concerns as a result of the nightclub currently known as AREA but also previously known as Tribeca. [REDACTED] was encouraged to live in the city centre with the promise that Manchester was aiming to be the best place in the UK in which to grow old. She is aware that businesses, residents, services and the public must all make allowances to live, work and enjoy the city centre and until now has coped with the nightclub being open until 4am. However, an extension to these opening hours will be detrimental to her health and wellbeing because of the increased levels of noise and disturbance an additional hour of trading will cause. Her property is on the [REDACTED] and the activities of the nightclub users including public indecency, substance abuse, assault, public urination, alcohol consumption, taxis and cars (used by nightclub clients) causing disturbance and blocking fire and emergency exits are some of what she has experienced to date. She wishes to continue living in the property and the city centre for its many other benefits to elderly residents and for this reason is objecting to the proposed variation of trading hours.

Signed

[REDACTED]

**BUS1**

**From:** [REDACTED] >  
**Sent:** 15 February 2023 10:23  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Variation of License Area, 50 Sackville Street, Manchester M1 3WF

Dear licensing team.

I'm writing in my capacity as a freeholder for [REDACTED] and a director of [REDACTED].

Whilst I wish Area every success in their new venture I'd like to object on the grounds of crime prevention, public safety and public nuisance.

Over the last few years, the neighbourhood has experienced serious issues with TriBeCa, now rebranded as Area.

I appreciate the club is under new management with a new licensee but it appears they are replicating the previous tenants' strategies and types of events to attract audiences which aren't best suited to the Gay Village.

They initially indicated they were opening a venue aimed at Pop market however, as that hasn't seemed to attract the desired market - and there's already established offerings nearby - they've resorted to other events such as Drum and Bass evenings.

Whilst [REDACTED] is rarely affected directly by the noise from the music, the building and its residents are affected by some of the attendees behaviours.

We have witnessed the following over the years during the night after similar events focussed on bringing in communities which might not be best suited to the Gay Village nor a residential area.

**Public Safety**

TriBeCa attendees taking part in:

Fights in the street.

Urination and defecation in the street

Mass Brawls

Overcrowding on at least two occasions

Considerable Police presence required to remove attendees due to overselling of tickets to Drum and Base events.

Who will police the area at 5am?

**Public Nuisance**

Sexual Activity on the street

Urination on the street, especially on Brazil St

Club goers sitting on Richmond Tea Rooms steps, talking and causing noise until 5am - if granted a 5am license this will likely extend until 6am.

Nitrous Oxide canisters being used which makes a very loud hissing sound when being released in the early hour of the morning.

Pollution on the street from NO2 canisters being discarded.

Noise from club goers.

Club goers playing loud music in cars on the street.

Noise from taxis illegally congregating on Sackville St and Brazil St such as beeping of horns, engines running.

Noise from fights of punters arguing over taxis.

Fights in the street

Increased police presence and noise from arrests.

Cars playing loud music, turning on headlights and club goers dancing in front.

**Crime Prevention**

Will police be able to monitor the area?

No one expects silence in the city centre but residents should be able to sleep and not have to contend with unlawful disruption. How their license extends to 4am is beyond me, let alone 5am.

Many thanks for reading.

Best

[Redacted signature]

[Redacted address]

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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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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 19 June 2023

**Subject:** Affetto Food Ltd, 386 Barlow Moor Road, Manchester, M21 8BH - App ref: Premises Licence (new) 287446

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

### Summary

Application for the grant of a premises licence made under the Licensing Act 2003, which has attracted objections.

### Recommendations

That the Panel determine the application.

**Wards Affected:** Chorlton Park

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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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

Name: Bryan Johnson  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 1248  
 E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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

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

## 1. **Introduction**

- 1.1 On 21/04/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Affetto Food Ltd, 386 Barlow Moor Road, Manchester, M21 8BH in the Chorlton Park 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 Affetto Food Ltd.
- 2.3 The description of the premises given by the applicant is: 'Delicatessen / Restaurant'
- 2.4 The proposed designated premises supervisor is Mr Andrea Stephen D'Avanzo.
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption both on and off the premises:  
Monday to Sunday 8am to 12midnight
- 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 6 relevant representations were received in respect of the application (**Appendix 3**), with 2 being submitted as joint representations. 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.

### Other Persons:

- Residents (x8).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Residents (x8)</b>	<p>Of the six representations received the majority (5) are objecting to the application, with a single representation that has been submitted in support of the application.</p> <p>Of those representations submitted against the application the general consensus amongst those objecting is that the granting of a premises licence for the premises at 386 Barlow Moor Road would have a detrimental effect on the upholding and enforcement of the Four Licensing Conditions and would also impact negatively upon their wellbeing.</p> <p>It has been reported by several objectors that, presently, there exists an ongoing issue with day-time traffic accessing adjacent roads to the premises and frequent instances of unauthorised and inconsiderate parking on pavements and, also, cars and other vehicles blocking residents driveways, which subsequently forces pedestrians to walk on the highway, thereby creating associate safety</p>	<p>Refusal (x7)</p> <p>Grant (x1)</p>

	<p>issues. It is felt that authorising licensable activities for the timings as applied for would only serve to extend the current traffic/parking problems into the late evening, which would be/is unacceptable for local residents.</p> <p>There is also a belief that there would be an increased risk of antisocial behaviour / public nuisance issues arising from the premises should the application be granted for the hours and licensable activities applied for. The main concern expressed is the potential for noise and antisocial behaviour likely to be generated by intoxicated patrons/customers of the premises, particularly into the evening period. The plan to operate an external drinking area at the premises is also of concern to those residents who have objected to the application (more so those who have young children) and it has also been reported that there are existing issues in the locality relating to littering, public urination and rodent infestation, and that it would be highly likely that these issues would only be exacerbated should the application be granted.</p> <p>Several objectors have also expressed concern that the existing levels of crime within the local area could increase as a direct consequence of the premises being allowed to operate and could lead to a direct impact upon nearby residential premises. It was reported by a number of the objectors that a burglary incident had taken place at a premises immediately adjacent to the premises at 386 Barlow Moor Road and that the incident had had a direct impact upon properties immediately adjoining the premises.</p> <p>It is felt that the local area already has sufficient, similar licensed premises and that the addition of another outlet offering the same licensable activities (albeit with longer trading hours) would offer no additional benefit to the local area and economy. The overall consensus is that the application should be refused.</p> <p>The sole representation in support of the application does express some of those same concerns as expressed by those objecting to</p>	
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	<p>the application; parking issues and potential noise/public nuisance issues etc. (and that it is to be hoped that whoever operates the premises does so in a responsible and considerate manner towards local residents), but it is stated in the representation that it would be/is their preference to have <i>'A well run restaurant at the end of the road rather than a boarded up shop.'</i></p>	
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#### 4. **Key Policies and Considerations**

##### 4.1 **Legal Considerations**

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

##### 4.2 **New Information**

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

##### 4.3 **Hearsay Evidence**

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

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

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

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

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



## 4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 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
- 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
- MS8 Prevent noise nuisance from the premises
- 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

5. **Conclusion**

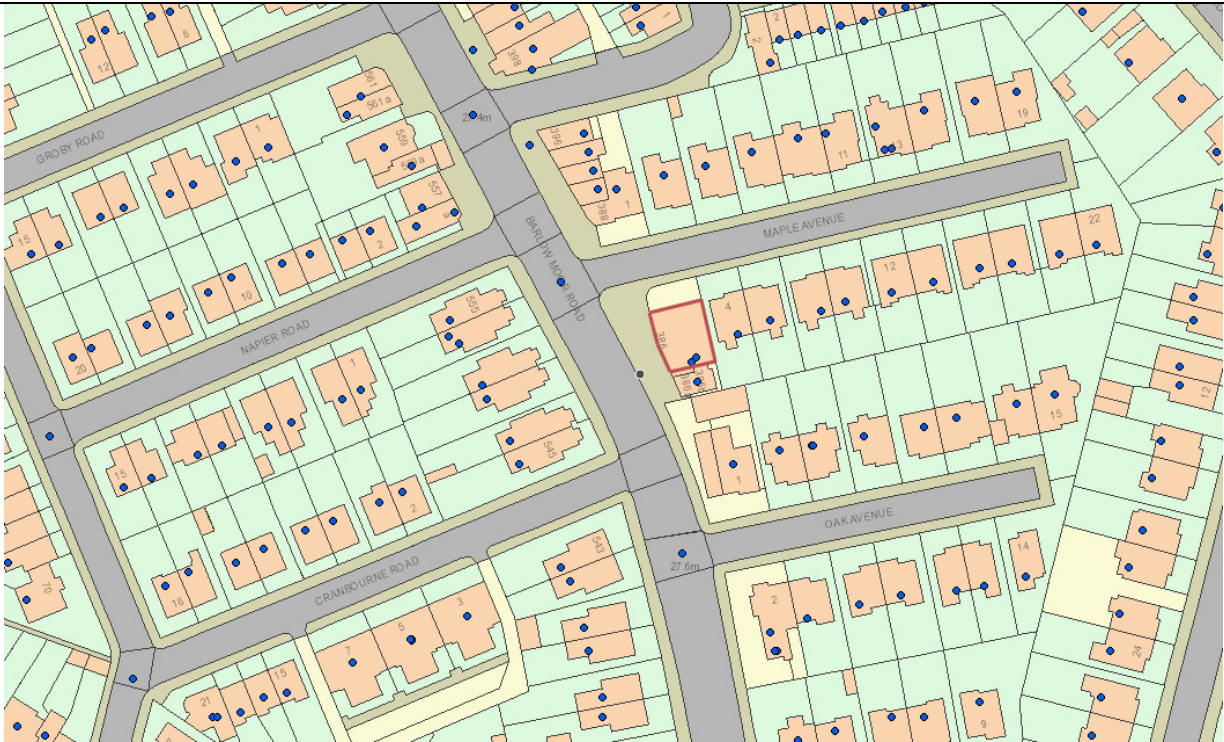
- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering 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.**

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Affetto Food Ltd  
 386 Barlow Moor Road, Manchester, M21 8BH  
 Premises Licensing  
 Manchester City Council

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<b>PREMISE NAME:</b>	Affetto Food Ltd
<b>PREMISE ADDRESS:</b>	386 Barlow Moor Road, Manchester, M21 8BH
<b>WARD:</b>	Chorlton Park
<b>HEARING DATE:</b>	19/06/2023

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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** Affetto Foods 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**

386 Barlow Moor Road, Chorlton			
<b>Post town</b>	Manchester	<b>Postcode</b>	M21 8BH
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£ 16800	

**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 Affetto Foods Ltd</b>
Address 688/690 Wilmslow Road Didsbury Manchester
Registered number (where applicable) 09605230
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number	██████████
E-mail address	████████████████████

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0 1 0 7 2	0 2 3	

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

DD	MM	YYYY

Internally, the main shop, café and restaurant area is approx 110m<sup>2</sup> where there will be shelves for the retail sale of food products including beers, wine and spirits to be taken away and consumed at home. A further 45m<sup>2</sup> is covered by the delicatessen kitchen and bar area where drinks to be consumed on the premises will be prepared and served from. There are also two toilets covering 5m<sup>2</sup> and a small a floor hatch which gives access to a sub floor with utilities meters. The front elevation of the shop comprises a full height aluminium double glazed windows with glazed central double front door. Externally, to the front of the shop there is a steel roller shutter for security purposes with an electronically operated system. The front of the unit will accommodate outside seating. To the left hand gable elevation of the building is a small courtyard enclosed by wall and fencing with gate used for seating and also accommodate a bin store. There is direct access from the courtyard into the shop unit through a single side door.

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)  | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>   |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>   |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)   | <input 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 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

<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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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 performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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 the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
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	-----	-----	
Wed	-----	-----	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Thur	-----	-----	
Fri	-----	-----	<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)
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

## 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 type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
	-----	-----			
Tue					
	-----	-----			
Wed			<b><u>State any seasonal variations for the performance of live music</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 live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
	-----	-----			
Sun					
	-----	-----			



## 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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

## 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)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
	-----	-----			
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
	-----	-----			
Wed			<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)		
Thur					
	-----	-----			
Fri					
	-----	-----			
Sat					
	-----	-----			
Sun					
	-----	-----			

**H**

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

## 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 type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

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 -----	24:00 -----			
Tue	08:00 -----	24:00 -----			
Wed	08:00 -----	24:00 -----			
Thur	08:00 -----	24:00 -----			
Fri	08:00 -----	24:00 -----			
Sat	08:00 -----	24:00 -----			
Sun	08:00 -----	24:00 -----			
			<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 Year's eve and bank holidays will require later closing times. This will be until 02:00		

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):

<b>Name</b> Andrea D'Avanzo
<b>Date of birth</b> [REDACTED]
<b>Address</b> [REDACTED] [REDACTED]
<b>Postcode</b> [REDACTED]
<b>Personal licence number (if known)</b> 181571
<b>Issuing licensing authority (if known)</b> Manchester City Council

**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).

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>State any seasonal variations</u></b> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	08:00	24:00	
Tue	08:00	24:00	
Wed	08:00	24:00	
Thur	08:00	24:00	
Fri	08:00	24:00	
Sat	08:00	24:00	
Sun	08:00	24:00	
			<p><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)</p> <p>New Year's eve and bank holidays will require later closing times This will be until 02:00</p>

**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)**

The Licensee shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons.

**Supply of alcohol**

1- No supply of alcohol may be made:

- (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
- (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (c)

2 - Every retail sale or supply of alcohol made under will be made or authorised by a person who holds a personal licence.

4 - A responsible person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

5 - A responsible person will ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

6 -The responsible person must ensure that free potable water is provided on request to customers

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

1 - A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.

2 - 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.

3 - CCTV shall be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced shall be in a format so it can be played back on a standard PC or DVD player.

4 - 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.

5 - Plans indicating the position of CCTV cameras to be submitted to GMP prior to the premises opening.

6 - Open containers of alcohol shall not be removed from the premises, save for consumption in the delineated external area shown on the plan attached to the licence.

**c) Public safety**

1. A first aid box shall be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with Greater Manchester Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

**d) The prevention of public nuisance**

1. Noise from the premises shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. The exterior of the building shall be cleared of litter at regular intervals.
3. Notices shall be positioned at the exits to the building requesting customers to leave in a quiet manner.
4. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
5. An AI Fresco and Smoking Policy shall be implemented and adhered to
6. Deliveries, servicing and collections, including waste collections shall not take place outside the following 0730 to 2000 Monday to Saturday. There shall be no deliveries or waste collections on Sundays or Bank Holidays.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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

1. The premises licence holder certificate holder will ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - a. The designated premises supervisor will ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - b. The policy will require individuals who appear to the responsible person to be under 25 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
    - i. a holographic mark, or
    - ii. an ultraviolet feature.
2. Staff training shall include the Challenge 21 and 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.
3. All staff will be trained for UNDERAGE SALES PREVENTION regularly.
4. A register of refused sales shall be kept and maintained on the premises.



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I 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>
--------------------	--

	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	[REDACTED]
Date	19/04/23
Capacity	Director

**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)	
[REDACTED]	
Post town	[REDACTED]
Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]
If you would prefer us to correspond with you by e-mail, your e-mail address	
[REDACTED]	

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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**Objection related to application by Affetto foods**

**From:** [REDACTED]  
**Sent:** 18 May 2023 17:30  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Objection related to application by Affetto foods

Dear Planning department.

[REDACTED]. I have the following objections.

- a. Hours that alcohol will be sold. There are many older people and young children living on this road. There are also many people who work. This is a residential road. It is not acceptable for people to be drinking alcohol until midnight on weekdays and 0200 am on bank holidays. This will cause difficulties to people who need to sleep. The requirement that people smoke outside will mean that there is considerable noise which will affect those in the houses close to the property. This is likely to be made worse because there is a small garden/waste area to the side of the property. IF there are plans to put tables there for guests to drink and eat then the noise will spread up the road and affect many of the local residents. This will be a public nuisance.
- b. Hours that the premises will be open. Even if alcohol is not being sold, it is likely that there will be noise as guests come and go. This will also be a public nuisance.
- c. Lack of available parking. [REDACTED] I had to arrange to park my car in a driveway due to the difficulties in parking. It is sometimes the case that guests are unable to find parking space on the street. Parking difficulties are particularly acute in the evening when those living in the road are back from work. There is nowhere for the guests of this establishment to park. This is a public safety issue.

Yours faithfully,

[REDACTED]

**Objection to application for alcohol license**

**From:** [REDACTED]  
**Sent:** 18 May 2023 17:35  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Objection to application for alcohol license

Hello

I wish to make a formal objection to the application for a license to sell alcohol made by Affetto foods ltd


386 Barlow Moor Road, Manchester, M21 8BH

Reference: 287446/BJ1  
Premises: Affetto Foods Ltd, 386 Barlow Moor Road, Manchester, M21 8BH  
Applicant: Affetto Foods Ltd

I think this license if granted would create significant public nuisance to the residents [REDACTED] through parking and potentially noisy customers leaving the premises late at night. Currently parking for the night time economy already blights sandy lane, and extending licensed premises towards the residential area [REDACTED] would create the same here. Parking is already congested [REDACTED], I believe customers would simply park on the double yellow lines at the end of the road, which dangerously restricts access to the road. [REDACTED] customers attempting to turn their cars in the narrow road, or using residents drives will create noise and nuisance and wake sleeping children at night. [REDACTED] currently there are no licensed premises that create nuisance for them nearby. The noise of customers leaving late at night would be significant. Intoxicated customers are more likely to create nuisance and a greater risk of crime and disorder. I oppose the license application for these reasons

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

Sent from [Outlook for Android](#)



18 May 2023

Dear Sir/Madam,

**Re: Representation regarding license application Reference 287446/BJ1  
(Affetto Foods Ltd, 386 Barlow Moor Road, Manchester, M21 8BH)**

We want to make an objection to this license application.

This is a stable and quiet residential area [REDACTED] with longstanding residents with young children and older people. Previously, there has never been any night time/weekend hospitality licensed business at these premises, or on our stretch of Barlow Moor Road [REDACTED].

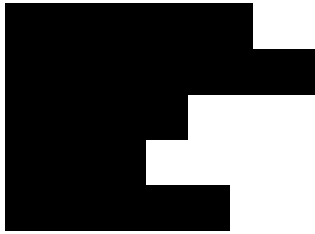
**Rationale for our objection**

**Prevention of Public Nuisance**

- Parking on the streets and pavements - already a problem which will become worse with a hospitality business at the end of street (open 8am – midnight, every day and later on public holidays and New Year's). Example, our drive was blocked last Saturday (13<sup>th</sup> May 2023). My wife requires her car [REDACTED] [REDACTED] often on evenings and at the weekend
- Increased traffic on the street
- Noise problems caused by customers, vehicular traffic including commercial deliveries, commercial kitchen exhaust/extraction fans, for example
- Littering and public urination – there is already an issue in this regard
- Public health concerns – particularly rodents and waste disposal that accompanies business of this nature
- Late night/early hours of morning license – is not in keeping with the current profile of the immediate neighbourhood. (Also relevant for Children section below)

**Protection of Children from Harm**

- Families with young children live on our street
- Increased traffic due to customer parking and regular commercial deliveries to the business



**Prevention of Crime and Disorder**

- Increased criminal activity given the nature of the business. We were witnesses to a recent burglary ( [REDACTED] ) at the adjoining property on Barlow Moor Road, the Vape Store. The burglar accessed and escaped [REDACTED].

**Summary**

Chorlton already has a large number of premises operating with alcohol licenses, and some previously licensed premises that are currently vacant. Surely, therefore, there should be some limit on the creeping expansion of alcohol licensed premises into residential areas that had not previously had hospitality operating.

We thank you for your consideration.

Yours faithfully,

[REDACTED]

[REDACTED]



## Re: 386 Barlow Moor Road - Application for a Premises Licence

[REDACTED]  
To: Premises Licensing

Fri 19/05/2023 16:27

Reference: 287446/BJ1

On Fri, 19 May 2023 at 16:24, [REDACTED] wrote:

I write in guarded support of the above application.

As a resident [REDACTED] I know we have concerns around noise and parking.

Parking is a consideration, maybe there could be a study of the effect on parking from the opening of other nearby restaurants? Such as Olive & Thyme, Jasmine & more recently Rudy's? I think more people are using other forms of transport now.

Noise [REDACTED]. I have had no issues with noise from the pub, apart from bottles going into a truck early in the morning! This is an example of a well-run establishment!

I think this is the issue - that whoever runs the restaurant is responsible and is empathetic to the concerns of those living in the vicinity. I would rather have a well-run restaurant at the end of the road than a boarded-up shop!

Yours

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 19 May 2023 17:28  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Objection to licence application - 386 Barlow Moor Road

Hello,

I would like to submit an objection to the above application. [REDACTED]  
[REDACTED] I am concerned that the residential street where I live will be disturbed by noise late into the night if a licence were to be granted. I am also concerned that my street will feel less safe and will be less safe with a restaurant/ bar serving alcohol late into the night at the end of the road due to antisocial behaviour as a result of intoxication with alcohol. I would not be in favour of a premises serving alcohol late into the night within such close proximity to my home.

Kind regards

[REDACTED]  
[REDACTED]

RES7

**From:** [REDACTED]  
**Sent:** 19 May 2023 18:36  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
[REDACTED]  
**Subject:** Comments on application 287446/BJ1

We are attaching comments on Licensing Application (new) reference number 287446/BJ1 and would be grateful if you would consider these.

Yours

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

18<sup>th</sup> May 2023

Dear Manchester City Council Premises Licensing

**Reference:** Premises Licence (new): 287446/BJ1

**Premises:** Affetto Foods Ltd, 386 Barlow Moor Road, Manchester, M21 8BH

**Applicant:** Affetto Foods Ltd

We should like to raise our concerns about this Premises Licensing (new) Application.

### Context

We have lived here for forty years and so can explain and confirm that [REDACTED] is home to a stable community of long-term residents, including families with children and older people. We generally support local businesses and participate in Chorlton's wider community.

However, we believe that the opening of the proposed business [REDACTED] will have adverse effects.

These are:

#### 1. Public safety

- **Traffic and parking on Maple Avenue**  
There is already a problem with day-time traffic and parking in our street due to people wanting to shop in Chorlton or who are employed in Chorlton but live elsewhere. This would be greatly increased by the proposed business and would extend into evening and night-time hours and public holidays. Cars coming into our street, parking on pavements, and [REDACTED] needing to turn on the street and in our driveways would increase the danger to children, older and disabled people, cyclists, and animals. Since [REDACTED] is tree-lined, many people cannot walk on the pavements where the trees grow and so walk along the roadway. Increased traffic, especially in dark evenings, would increase the danger for residents and non-residential pedestrians.
- **Parking on pavements on Barlow Moor Road**  
Some cars already park on the pavement in front of 386 Barlow Moor Road, causing difficulties for pedestrians, especially anyone who has a sight or mobility disability. (See attached photograph 1.) We are concerned that this would become a greater problem if the proposed shop and restaurant used that space for employee parking, delivery parking, customer parking, or to place tables and seating areas on the pavement.
- **Air quality and pollution**  
The air quality in the centre of Chorlton and on our street is poor and is likely to be damaging the health of residents, especially children growing up here. Although we hope that the road improvements currently being undertaken in Chorlton might

alleviate this problem, an increase in traffic on Barlow Moor Road and [REDACTED] would undermine intended improvements.

- **Rodent infestation**

There is a recognised problem of rats in the alleyways leading off Barlow Moor Road nearer to the centre of Chorlton, and in other areas of Chorlton such as Beech Road, where there are numerous licensed eateries and bars. The rats are attracted by the food waste from these. We are concerned that the extension of the hospitality areas of Barlow Moor Road, [REDACTED] into the more residential parts of Barlow Moor Road and adjoining avenues, would attract rats into our gardens. (The possibility of this is suggested by the sudden appearance of rats in our gardens during the Covid lockdown periods when restaurants in central Chorlton were closed and rats searched further for food sources.) Rats are clearly a health hazard to residents, including children.

To our knowledge, the only access to 386 Barlow Moor Road is through the front door. If so, all waste will need to be removed through this door and possibly be stored on the pavement or in the small garden adjoining [REDACTED]

- **Debris**

There is already an intermittent problem with debris discarded from the shop and flats at this address into our garden and side pathway. This is evidenced by the accident caused when a broken metal stool and a strip of artificial grass fell from 386 Barlow Moor Road [REDACTED] in April 2020. [REDACTED] one of the residents [REDACTED] tripped over these on 13<sup>th</sup> April 2020, while taking rubbish from the house to the refuse bins in our side passage. His face was sliced open to the bone and he needed plastic surgery treatment that night at Wythenshawe Hospital and was also given a scan to check for brain damage. [REDACTED] We are worried that this sort of hazard might be increased.

## 2. Public nuisance

- **Noise and litter**

We are concerned about likely noise levels during the long opening and licensing hours that have been applied for. It seems inevitable that customers and deliveries will increase the noise levels for residents, disturbing normal residential life. If customers congregate outside the restaurant to smoke, vape, or drink (as with many Chorlton bars and eateries), this would affect the quality of life for residents, and will create more problems with noise and litter (especially discarded vape cartridges etc) as well as further damage to the increasingly-threatened urban green environment and ecology.

Entry to 386 Barlow Moor Road is directly from the pavement. A 'smoking area' will inevitably be on the pavement and is likely to cause smoking-related litter.

- **Fumes**

We are also concerned that fumes from kitchen extraction/exhaust systems will come into our side passage and garden, inhibiting our ability to use and enjoy the

space around our property without exposure to unpleasant fumes and toxic gases produced by commercial cooking.

### 3. Crime and Disorder

- We are worried that changes in the nature of the business [REDACTED] will lead to further crime and the possibility of danger to our house, possessions and persons. On 14<sup>th</sup> April 2023 there was a break-in to the Vape shop [REDACTED] and 386 Barlow Moor Road. The burglar [REDACTED] [REDACTED] We are concerned that attracting more customers and possibly rowdy behaviour to the building [REDACTED] [REDACTED] could increase criminal behaviour affecting us and our property.

Chorlton has a very large number of bars and restaurants. The addition of another licensed restaurant – especially one with extremely long opening hours and on a stretch of Barlow Moor Road that has previously been free from such businesses – is unnecessary to the local economy. It threatens the well-being of neighbouring residents, including children and older people, would create public nuisance, and could increase Chorlton’s problems with crime and disorder.

We hope you will consider these issues when you deliberate the licensing application for 386 Barlow Moor Road and reject it.

Yours

[REDACTED]  
[REDACTED]

Photograph 1



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

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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 Licensee shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.</li> <li>2. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons.</li> <li>3. No supply of alcohol may be made:               <ol style="list-style-type: none"> <li>a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ol> </li> <li>4. Every retail sale or supply of alcohol made under shall be made or authorised by a person who holds a personal licence.</li> <li>5. A responsible person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.</li> <li>6. A responsible person shall ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</li> <li>7. The responsible person shall ensure that free potable water is provided on request to customers.</li> <li>8. A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.</li> <li>9. 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>10. CCTV shall be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced shall be in a format so it can be played back on a standard PC or DVD player.</li> <li>11. 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.</li> <li>12. Plans indicating the position of CCTV cameras to be submitted to GMP prior to the premises opening.</li> <li>13. Open containers of alcohol shall not be removed from the premises, save for consumption in the delineated external area shown on the plan attached to the licence.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>14. A first aid box shall be available at the premises at all times.</p> <p>15. Regular safety checks shall be carried out by staff.</p> <p>16. Management shall liaise with Greater Manchester Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>17. The premises shall maintain an Incident Log and public liability insurance.</p> <p>18. Noise from the premises shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>19. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>20. Notices shall be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>21. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>22. An AI Fresco and Smoking Policy shall be implemented and adhered to</p> <p>23. Deliveries, servicing and collections, including waste collections shall not take place outside the following 0730 to 2000 Monday to Saturday. There shall be no deliveries or waste collections on Sundays or Bank Holidays.</p> <p>24. 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>25. The Premises Licence Holder shall ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>26. The Designated Premises Supervisor shall ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy shall require individuals who appear to the responsible person to be under 25 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:</p> <ol style="list-style-type: none"> <li>a) a holographic mark, or;</li> <li>b) an ultraviolet feature.</li> </ol> <p>27. Staff training shall include the Challenge 21 and 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.</p> <p>28. All staff shall be regularly trained for underage sales prevention.</p>		
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### Schedule of Licence Conditions

29. A register of refused sales shall be kept and maintained on the premises.		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
Not applicable		

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 19 June 2023

**Subject:** Seven Sins, 43 Lever Street, Manchester, M1 1FN -  
App ref: Premises Licence variation 287536

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

**Summary**

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

**Recommendations**

That the Committee determine the application.

**Wards Affected:** Piccadilly

<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 Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.

A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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#### **Financial Consequences – Revenue**

None

#### **Financial Consequences – Capital**

None

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#### **Contact Officers:**

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

Name: Helen Howden  
Position: Technical Licensing Officer  
Telephone: 0161 234 4294  
E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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

- Manchester City Council Statement of Licensing Policy.
- Guidance issued under section 182 of the Licensing Act 2003.
- Any further documentary submissions by any party to the hearing

## 1. Introduction

- 1.1 On 24/04/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Seven Sins, 43 Lever Street, Manchester, M1 1FN in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. Current Licence

- 2.1 The premises licence holder is St Joseph Limited and a copy of the current licence is attached at **Appendix 2**.

## 3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to:
- increase the hours for the supply of alcohol to 1100 to 0200 on Sunday to Wednesday
  - increase the hours for recorded music to 1100 to 0200 on Sunday to Wednesday
  - increase the hours for late night refreshment to 2300 to 0200 Monday to Sunday
  - increase the opening hours to 1100 to 0230 Sunday to Wednesday
  - add a number of conditions to Annex 2. The conditions requested to be added are included in full in Appendices 3 (Application) and 5 (Schedule of Conditions)

The current and proposed hours are given on the next page.

**Current and proposed hours:**Provision of regulated entertainment (recorded music):

Current hours: Sun to Weds 11am to midnight, Thurs to Sat 11am to 2am

Proposed hours: Mon to Sun 11am to 2am

The provision of regulated entertainment (recorded music) will take place indoors.

Provision of late night refreshment:

Current hours: Sun to Weds 11pm to midnight, Thurs to Sat 11pm to 1.30am

Proposed hours: Mon to Sun 11pm to 2am

The provision of late night refreshment will take place indoors.

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

Current hours: Sun to Weds 11am to midnight, Thurs to Sat 11am to 2am

Proposed hours: Mon to Sun 11am to 2am

Opening hours:

Current hours: Sun to Weds 11am to half past midnight, Thurs to Sat  
11am to 2.30am

Proposed hours: Mon to Sun 11am to 2.30am

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
- 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.
4. **Relevant Representations**
- 4.1 One relevant representation was received in respect of the application (**Appendix 4**). No redactions have been made as no personal details were included in the representation.



Responsible Authority:

- MCC Licensing and Out of Hours Compliance Team;

## 4.2 Summary of the representation:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	<p>The representation comments that</p> <p>“Within the application there are no proposed steps regarding training staff in Counter Terrorism Awareness. Terror attacks have the potential to target bars, pubs and nightclubs therefore relevant training should be in place for all staff.”</p> <p>and</p> <p>“Furthermore, a licensed premises in the city centre is expected to be prepared with regards to the threat of a terror attack and should have a documented security risk assessment in place.”</p> <p>A number of conditions are proposed that relate to the above concerns. The conditions are included in full in Appendices 3 (Application) and 5 (Schedule of Conditions).</p>	Grant with conditions

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

4.4 No agreements on conditions have been reached as at the time of publication of these papers.

## 5. **Key Policies and Considerations**

### 5.1 **Legal Considerations**

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

### 5.2 **New Information**

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

### 5.3 Hearsay Evidence

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

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

- 5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 5.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 5.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

### 5.5 Manchester Statement of Licensing Policy

- 5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

#### ***Section 6: What we aim to encourage***

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

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

### **Section 7: Local factors**

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

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

Evidence of pre-existing problems in the area

### **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

## **6. Conclusion**

6.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and

- the protection of children from harm.

- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
  - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**



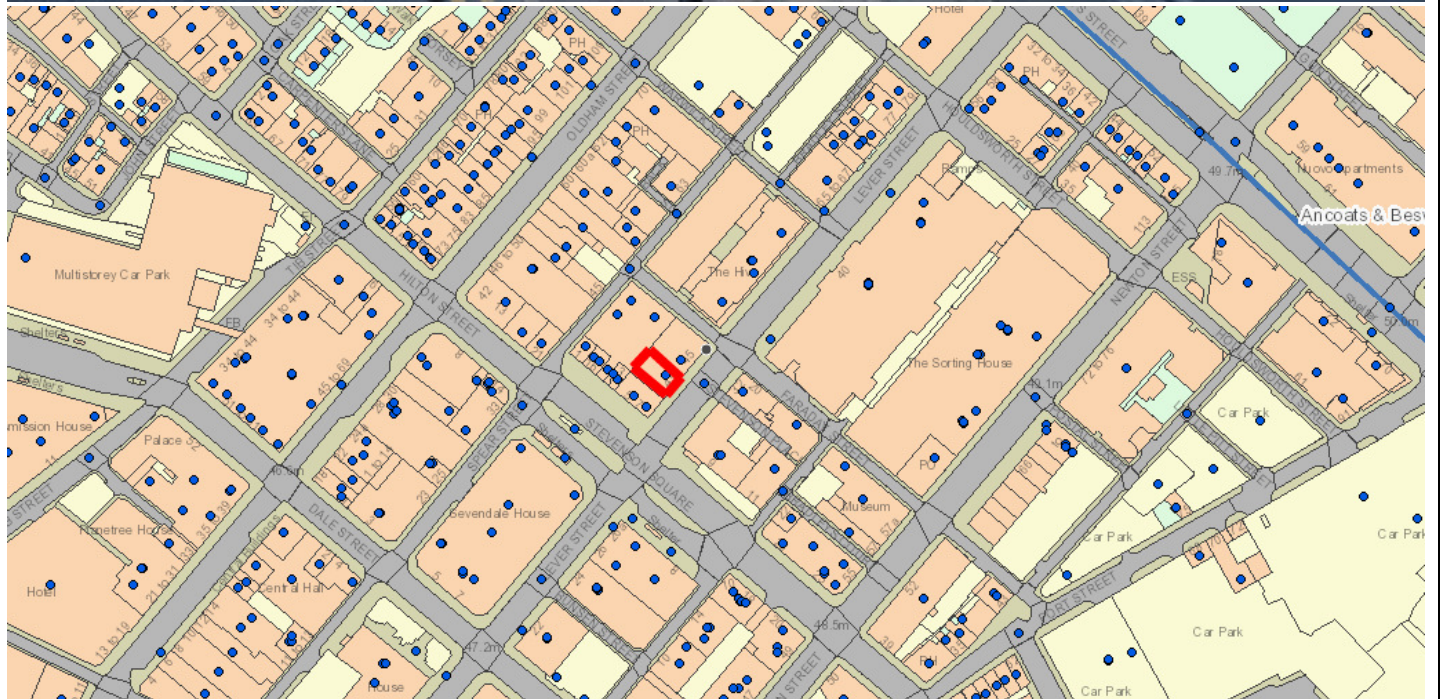
Seven Sins

43 Lever Street, Manchester, M1 1FN

Premises Licensing  
Manchester City Council

(the approximate location of the premises is marked in red)

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**PREMISE NAME:** Seven Sins

**PREMISE ADDRESS:** 43 Lever Street, Manchester, M1 1FN

**WARD:** Piccadilly

**HEARING DATE:** 19/06/2023

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	137039
Granted	02/08/2011
Latest version	Minor variation 281910 granted 11/11/2022

### Part 1 - Premises details

Name and address of premises
<b>Seven Sins</b> Unit G1, The Hive, 47-51 Lever Street, Manchester, M1 1FN
Telephone number
TBC

Licensable activities authorised by the licence
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: Recorded music.</li> <li>3. The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

### The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	0200	0200	0200	2400
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
Bank Holidays - 1 Extra Hour Friday, Saturday & Sunday							
December -1 Extra Hour Each Day							
New Year - From the start time on New Year's Eve to 0330 New Year's Day							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	0200	0200	0200	2400
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings: Bank Holidays - 1 Extra Hour Friday, Saturday & Sunday December - 1 Extra Hour Each Day New Year - From the start time on New Year's Eve to 0330 New Year's Day							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2400	2400	2400	0130	0130	0130	2400
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings: None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0230	0230	0230	0030
Seasonal variations and Non standard Timings: Bank Holidays - 1 Extra Hour Friday, Saturday & Sunday December - 1 Extra Hour Each Day New Year - From the start time on New Year's Eve to 0330 New Year's Day							

## Part 2

Details of premises licence holder	
Name:	St Joseph Limited
Address:	The Vicarage, 31 Great King Street, Macclesfield, Cheshire, SK11 6PL
Registered number:	04583962

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mr James Michael O'Gara
Address:	[REDACTED]
Personal Licence number:	177540
Issuing Authority:	Manchester City Council



## Annex 1 – Mandatory conditions

### Door Supervisors

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
  - (a) Unauthorised access or occupation (e.g. through door supervision),
  - (b) Outbreaks of disorder, or
  - (c) Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

### Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
  - (2) For the purposes of the condition set out in (1) above–
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
    - (b) “permitted price” is the price found by applying the formula–
 
$$P = D + (D \times V)$$
 where –

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic

in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

8. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

## Annex 2 – Conditions consistent with the operating schedule

1. An effective and adequate internal and external CCTV system covering all high-risk areas shall be installed, maintained and operated at the premises.
2. The premises shall become a member of, and maintain its membership of, the local Pub and club network and work with City Safe.
3. Staff shall be provided with comprehensive, ongoing training to make them aware of all legislation relevant to their employment and shall include first aid/alcohol and drug awareness safety/evacuation procedures and child safety all training shall be logged

and recorded.

4. Regular written risk assessments shall be carried out in respect of all activities that take place at the premises.
5. The management and staff shall ensure that glasses are collected regularly. Staff shall make regular inspections for broken glass and staff shall clear any broken glass found away immediately.
6. Acoustic lobbies on all doors.
7. Till monitoring system shall be in place.
8. Double glazed windows shall be in place.

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

1. The Challenge/Think 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 a passport, photographic driving licence and those carrying the PASS logo.
2. Staff training shall include the Challenge/Think 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 for persons under the age of 18. This training shall be given to a new member of staff before they commence paid employment.
3. No children under the age of 16 shall be on the premises after 2000. In addition, no children under the age of 18 shall be on the premises unaccompanied after 2100
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
5. Deliveries/ waste disposal to take place between 0730 and 2000 Monday to Saturday. No deliveries/ waste disposal shall take place on Sundays or Bank Holidays.
6. The emptying of bottle bins shall take place between 0900 and 2000.
7. All windows and doors shall be kept closed during regulated entertainment except for access and egress to and from the premises.
8. No external speakers
9. Management shall ensure quiet dispersal of customers at closing time and that they leave the immediate vicinity of the premises in an orderly fashion.
10. The exterior of the building shall be cleared of litter during non-operational hours prior to opening and whilst the premises is open.
11. Smoking policy shall be submitted and approved by Public Protection prior to opening the premises to the public.
12. On a Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2100 hours until 30 minutes after closing to assist with the safe and orderly dispersal of customers. At all other times SIA door staff shall be employed at the premises in accordance with a risk assessment to be carried out by the DPS. When employed, door staff will wear high visibility arm bands.

Annex 4 – Plans

See attached plan – updated with basement plan AI(04)0008 – Variation 192359 Granted 13/12/16

MCC Licensing Register Copy

### **7 Sins Smoking Policy**

1. Customers wishing to smoke will be encouraged to smoke to the left hand side of the main entrance on Lever Street. This area is covered by a CCTV system which is installed at the premises.
2. The outside smoking area shall be monitored by staff or door staff at all times in use.
3. The area will be cleaned regularly through out the day as well as before and after closing.
4. A wall ashtray has been installed on the left hand side of the entrance so customers can dispose of cigarette butts in the correct manner.
5. Signs are displayed requesting customers to keep the noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol are not permitted to be taken outside, there is adequate signage in place in the main foyer and all staff, including security, are aware that no glass or drinks are permitted outside.

MCC Licensing Register Copy

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

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## Application to Vary a Premises Licence under the Licensing Act 2003

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

**Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.**

(1) Delete as applicable.  
(2) Insert name(s) of applicant.

(1)  [We] (2) ST JOSEPH LIMITED

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

**Premises licence number** 137039

### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
7SINS 45 LEVER STREET			
Post town	MANCHESTER	Postcode	M1 1FN
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 43,500	

### Part 2 - Applicant Details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	THE VICARAGE 31 GREAT KING STREET		
Post town	MACCLESFIELD, CHESHIRE	Postcode	SK11 6PL

### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

DD                      MM                      YYYY

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please read guidance note 1)  Yes  No



## A

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

## B

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5)		
Day	Start	Finish			
Mon					
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)		
Wed					
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)			
Tue						
Wed						
Thur			<b>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</b> (please read guidance note 7)			
Fri						
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Wed					
Thur					
			<b>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</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	1100	0200			
Tue					
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Wed	1100	0200	AS EXISTING		
Thur					
			<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 7)		
Fri					
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both - please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
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 7)		
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 8)			Please give a description of the type of entertainment you will be providing		
			<b><u>Will this entertainment take place indoors or outdoors or both - please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed			<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 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5)		
Mon	2300	0200			
Tue	2300	0200	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Wed	2300	0200			
Thur	2300	0200	<b>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</b> (please read guidance note 7)		
Fri	2300	0200			
Sat	2300	0200			
Sun	2300	0200			

## J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption - please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) AS EXISTING		
Mon	1100	0200			
Tue	1100	0200	<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 7)		
Wed	1100	0200			
Thur	1100	0200			
Fri	1100	0200			
Sat	1100	0200			
Sun	1100	0200			

# 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 10)

NONE

# L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	AS EXISTING
Mon	1100	0230	
Tue	1100	0230	
Wed	1100	0230	
Thur	1100	0230	
Fri	1100	0230	
Sat	1100	0230	
Sun	1100	0230	
			<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 7)



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

Please tick as appropriate

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

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

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

## M

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

**(a) General - all four licensing objectives (b, c, d and e)** (please read guidance note 11)

AS EXISTING

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

PLEASE SEE ATTACHED

**(c) Public safety**

AS EXISTING

**(d) The prevention of public nuisance**

AS EXISTING

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

AS EXISTING

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

- I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, 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.**

**Part 5 - Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	[REDACTED]
Capacity	[REDACTED]

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
[REDACTED]			
[REDACTED]			
[REDACTED]			
<b>Post town</b>		<b>Postcode</b>	[REDACTED]
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			
[REDACTED]			

**Notes for Guidance**

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

- You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
- 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 of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 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.

7 Sins  
45 Lever Street  
Manchester  
M1 1FN

**Proposed Additional Conditions**

The Prevention of Crime and Disorder

1. Any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV.
2. CCTV must be in operation at any time a person is in the premises.
3. All CCTV recorded images will have sufficient clarity/quality/definition to enable facial recognition.
4. CCTV will be kept in an unedited format for a minimum period of 28 days.
5. CCTV will be maintained on a regular basis and kept in good working order at all times.
6. CCTV maintenance records to be kept with details of contractor used and work carried out to be recorded.
7. Where CCTV is recorded on to a hard drive system any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player.
8. Where CCTV is recorded onto a hard drive system, the hard drive system must have a minimum of 28 day roll over recording period.
9. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by a person from a responsible authority. Plans indicating the position of CCTV cameras to be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.
10. Where the recording is on a removable medium (ie compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

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

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**MANCHESTER  
CITY COUNCIL**

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

Name	Joe Robinson
Job Title	Licensing Out of Hours Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	<a href="mailto:joe.robinson@manchester.gov.uk">joe.robinson@manchester.gov.uk</a>
Telephone Number	0161 234 1220

**Premise Details**

Application Ref No	M/287536
Name of Premises	7Sins
Address	45 Lever Street, Manchester, M1 1FN.

**Representation**

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

Licensing and Out of Hours (LOOH) have assessed the likely impact of the grant of this application taking into account a number of factors, including the hours and activities applied for, the nature of the area in which the premises is located and any potential risk that granting the application could have on any of the four licensing objectives.

As a result of this assessment the Licensing and Out of Hours Team have concerns of granting the application, in its current form, is likely to lead to the Public Safety objective being undermined.

In reaching this decision we have given particular consideration to Manchester City Council's Statement of Licensing Policy 2021 - 2026 specifically: Working to prevent the threat of terrorism.

The premises is located on Lever Street within the Northern Quarter district of the city centre. There are commercial properties nearby and a number of alcohol led licensed premises in close proximity.

The application is for a variation, to extend the terminal hour for the provision of regulated entertainment and the supply of alcohol as licensable activities permitted by the Premises Licence, until 02:00hrs, Sunday to Wednesday, to extend the terminal hour for the provision of late-night refreshments until 02:00hrs, Monday to Sunday and to increase the opening hours of the premises to 02:30hrs, Sunday to Wednesday.

Within the application there are no proposed steps regarding training staff in Counter Terrorism Awareness. Terror attacks have the potential to target

bars, pubs and nightclubs therefore relevant training should be in place for all staff.

Furthermore, a licensed premises in the city centre is expected to be prepared with regards to the threat of a terror attack and should have a documented security risk assessment in place.

To: Martyn's Law:

- 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. In addition, a minimum of 1 on-duty manager 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.
- There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. 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.
- Within 28 days of the granting 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.
- The premises must have a documented security 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:
  - Guide – Direct people towards the most appropriate location (invacuation, evacuation, hide)
  - Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours

....continued



- 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 information such as building plans

LOOH believe these conditions are proportionate and necessary to uphold the four licensing objectives.

Recommendation: Approve with Conditions (Outlined Above)

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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>1. Any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV.</p> <p>2. CCTV must be in operation at any time a person is in the premises.</p> <p>3. All CCTV recorded images will have sufficient clarity/quality/definition to enable facial recognition.</p> <p>4. CCTV will be kept in an unedited format for a minimum period of 28 days.</p> <p>5. CCTV will be maintained on a regular basis and kept in good working order at all times.</p> <p>6. CCTV maintenance records to be kept with details of contractor used and work carried out to be recorded.</p> <p>7. Where CCTV is recorded on to a hard drive system any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player.</p> <p>8. Where CCTV is recorded onto a hard drive system, the hard drive system must have a minimum of 28 day roll over recording period.</p> <p>9. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by a person from a responsible authority. Plans indicating the position of CCTV cameras to be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.</p> <p>10. Where the recording is on a removable medium (ie compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.</p>	N/A	Applicant
<b>Conditions proposed by objectors – see next page</b>		

## Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
<ul style="list-style-type: none"> <li>• 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. In addition, a minimum of 1 on-duty manager 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.</li> <li>• There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. 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.</li> <li>• Within 28 days of the granting 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.</li> <li>• The premises must have a documented security 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: <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 information such as building plans</li> </ul> </li> </ul>	No (as at time of publication of these papers)	Licensing and Out of Hours

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 19 June 2023

**Subject:** Love Factory (formerly Summer of Love), 200-204 Dantzic Street  
Manchester, M4 4DD – app ref: Premises Licence variation 287630  
**and**  
Love Factory (formerly Summer of Love), 200 Dantzic Street  
Manchester, M4 4DD – app ref: Premises Licence variation 287631

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

**Summary**

Application for the variation of a premises licence x 2 which have attracted objections.

**Recommendations**

That the Committee determines the applications.

**Wards Affected:** Cheetham

<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 Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities

and work.	suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

### **Contact Officers:**

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Position: Technical Licensing Officer  
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E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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

- Manchester City Council Statement of Licensing Policy.
- Guidance issued under section 182 of the Licensing Act 2003.
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 27/04/2023, two applications for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 were made in respect of Love Factory (formerly Summer of Love), Dantzic Street, Manchester, M4 4DD in the Cheetham ward of Manchester. A location map of both premises is attached at **Appendix 1**.
- 1.2 The applications were submitted at the same time, by the same person (on the same email), and both have attracted the same representations. Both are known by the same name. On the basis that they are likely to be considered by the Committee at the same time, both have been included in this one set of papers. The differences are referred to in the papers.
- 1.3 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the applications 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 applications published on the Council's website.
- 1.4 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.
- 1.5 Relevant representations have been received in respect of each application and so they must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **Current Licences**

- 2.1 The premises licence holder of licence 260078 is Animal Crossing Music Ltd and a copy of the current licence is attached at **Appendix 2**.
- 2.2 The premises licence holder of licence 272412 is Summer of Love Limited Ltd and a copy of the current licence is attached at **Appendix 2a**.

## 3. **The Applications**

- 3.1 A copy of the application to vary licence 260078 is attached at **Appendix 3**.
- 3.2 A copy of the application to vary licence 272412 is attached at **Appendix 3a**

### 3.3 **Changes requested**

The variations both request the same changes to hours, as follows:

To extend the hours for the sale of alcohol, regulated entertainment and opening as follows:

Sale of alcohol and Regulated Entertainment until 01:00 daily.  
Opening Hours until 01:30 daily.

In addition, one application - application 287631 - requests removal of the condition below and replacement with new conditions. The proposed new conditions are included in **Annex 5** "Schedule of Conditions"

Condition requested to be removed from licence 272412  
(Condition 9 of Annex 2):

Other than the event 'The Summer of Love Festival' there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00 hours.

For information: the current hours on each licence are the same and are as below.

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

Mon to Sun 11am to 11pm

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

Mon to Sun 11am to 11pm

Opening hours:

Mon to Sun 11am to 11.30pm

Seasonal variation at New Year only applies to all activities and opening:  
From the start of permitted hours on New Year's Eve to the to the end of permitted hours on New Year's Day

- 3.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.3.2 Any further details provided relating to any of the individual licensable activities are specified on the application forms at **Appendix 3 and 3a**.
- 3.3.3 The applicants have not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
  - 3.4.1 The applicants propose to promote the licensing objectives by taking the steps identified in the operating schedule.



3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

3.5 **Further documentation accompanying the application**

3.5.1 The applications were each accompanied by a “sample noise report” in support of the application.

4. **Relevant Representations**

4.1 A total of 4 relevant representations were received in respect of each application. The representation from LOOH is the same for each but was submitted separately for each application; representations from residents were received once only and refer to both applications in the subject line. All representations are included in the one appendix, **Appendix 4**. The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team

Other Persons:

- Resident x 3

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<p><b>Licensing and Out of Hours Compliance</b></p>	<ul style="list-style-type: none"> <li>• This representation refers to noise complaints received for past events and reports that officers attended the home of one complainant, over 2 miles away.  continued...</li> <li>• During this visit It was “confirmed the music at several addresses matched that of the premises. This would indicate there is the potential a huge number of people affected who may not have complained.”</li> <li>• “The removal of Annex 2 Condition 9 would increase the likelihood of noise complaints from the surrounding residents, allowing the premises to operate with amplified music until 01:00 hrs every day of the week, would significantly undermine the public nuisance licensing objective.”</li> <li>• The area is currently undergoing major</li> </ul>	<p>Refuse</p>

	regeneration, with large residential units being built on the land directly adjacent to the Love Factory premises, likely to be affected by the applications.	
<b>RES1 and RES2</b>	<p>This representation from RES1 was submitted along with a petition signed by 24 local residents objecting to the licence variations.</p> <p>The representations from RES1 and RES2 make the same main points, summarised as:</p> <ul style="list-style-type: none"> <li>• There are “unacceptable noise levels” from events at the premises. Events in Summer 2022 “started in the afternoon and finished at around 11-30pm each day from Friday to Sunday”, leading to rattling windows and the resident having to move the TV to the bedroom, where noise could still be heard. Following complaints, “the sound level reduced, but only for about an hour, after which it returned to the former level.” The resident considers that “thousands of close residents within earshot are affected. The statement in the application that there have been no issues or complaints is “simply untrue”.</li> <li>• The licence variations, if granted, will “make an existing problem a whole lot worse by virtue of later hours and playing of amplified music not just inside the venue, but outdoors as well”.</li> </ul> <p style="text-align: right;">continued...</p> <ul style="list-style-type: none"> <li>• Nuisance is also caused by “long lines of taxis pulling up on Dalton Street late at night, doors slamming, drunken people shouting, widespread littering.”</li> </ul>	Refuse
<b>RES3</b>	<ul style="list-style-type: none"> <li>• “The noise last summer was bad enough without allowing later opening and music outside. It went on all weekend and only stopped after 11:30pm. This is a bad public nuisance for this area with so many people living close by, and should never have been licensed in the first place.”</li> <li>• “I hope for our sanity that this is not</li> </ul>	Refuse

	granted.”	
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4.3 No conditions have been proposed by any objector so there are none to include in the Schedule of Conditions at **Appendix 5**.

4.4 No agreements on conditions have been reached with any objector.

## 5. **Key Policies and Considerations**

### 5.1 **Legal Considerations**

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

### 5.2 **New Information**

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

### 5.3 **Hearsay Evidence**

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

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

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

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

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

### 5.5 **Manchester Statement of Licensing Policy**

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

- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

***Section 6: What we aim to encourage***

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

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

***Section 7: Local factors***

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

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

- Identified risk factors specific to the licensed premises
- 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.

- MS2 Effective general management of the premises
- 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

**6. Conclusion**

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives for each application:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
  - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.

- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the applications.**

Love Factory (formerly Summer of Love) Dantzic Street, Manchester, M4 4DD

Premises Licensing  
Manchester City Council

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From Google Streetview as at November 2020 (general area)



From Out of Hours representation (taken from different viewpoint)



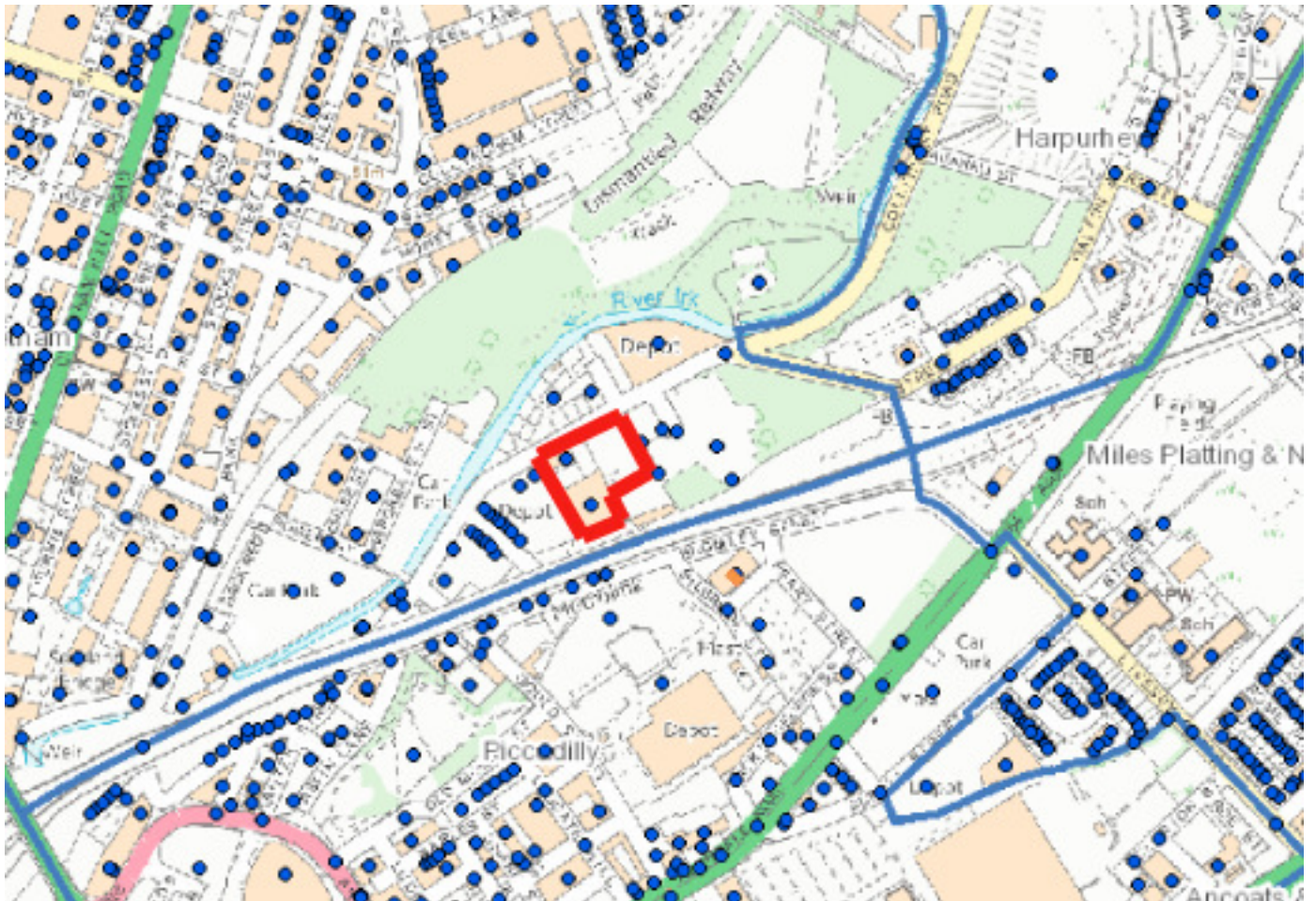
<b>PREMISE NAME:</b>	Love Factory (formerly Summer of Love)
<b>PREMISE ADDRESS:</b>	200-204 Dantzic Street, Manchester, M4 4DD
<b>WARD:</b>	Cheetham
<b>HEARING DATE:</b>	19/06/2023



Love Factory (formerly Summer of Love) Dantzic Street, Manchester, M4 4DD

Premises Licensing  
Manchester City Council

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	260078
Granted	03/08/2021
Latest version	As above

### Part 1 - Premises details

<b>Name and address of premises</b>
Summer of Love 200-204 Dantzic Street, Manchester, M4 4DD

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>The sale by retail of alcohol*.</li> <li>The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> <li>Performance of plays;</li> <li>Exhibition of films;</li> <li>Live music;</li> <li>Recorded music;</li> <li>Performances of dance;</li> <li>Anything similar to live music, recorded music or the performance of dance.</li> </ul> </li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
---

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

<b>Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
Licensed to take place both indoors and outdoors.							
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2330	2330	2330	2330	2330	2330	2330

**Seasonal variations and Non-standard Timings:**  
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	Animal Crossing Music Ltd
<b>Address:</b>	Reedham House, 31 King Street West, Manchester, M3 2PN
<b>Registered number:</b>	11368411

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Oliver Keenan-Ryder
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	145290
<b>Issuing Authority:</b>	Salford City Council

<b>Annex 1 – Mandatory conditions</b>
<p><b>Door Supervisors</b></p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p><b>Supply of alcohol</b></p> <p>2. No supply of alcohol may be made under this premises licence:</p> <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul> <p>3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.</p> <p>4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.</p> <p>(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –</p> <ul style="list-style-type: none"> <li>(a) a holographic mark, or</li> <li>(b) an ultraviolet feature.</li> </ul>

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula—
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### **Exhibition of films**

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

#### **Annex 2 – Conditions consistent with the operating schedule**

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly head and shoulders recognition.
2. A staff member who is conversant with the operation of the CCTV system shall be contactable at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a Police Officer or an Authorised Officer of the Licensing Authority.
3. An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an Authorised Officer of the Licensing Authority.
4. All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass.

5. Door Staff to be engaged at the premises upon Risk Assessment by the Management. The number of door staff shall be such as is determined by a risk assessment, at the ratio of 1:100.
6. When employed at the premises, all door staff will wear high-visibility jackets.
7. The Drugs Policy will be attached to this Licence.
8. Any person who appears to be drunk shall not be permitted to enter the premises.
9. All persons entering or re-entering the premises, may be subject to a bag search by an SIA trained member of staff, in an area monitored by CCTV. There will be a locked amnesty bin on entry for voluntary disposal.
10. Entry to events will be by ticket only, and there will be no ticket sales on the door.
11. All customers will receive an e-mail upon ticket purchase which will include local taxi numbers, the closest public transport information and a clear explanation of the dispersal process.
12. There will be no external promoters used in respect of the premises.
13. Public Liability Insurance shall be maintained in respect of the premises.
14. A Fire Safety Risk Assessment will be undertaken and sent to the Local Fire Authority ahead of the event.
15. Staff shall make regular checks of the toilet facilities.
16. Noise arising from the event will not exceed 65 dB(A) (15min) at 1m from the façade of the nearest noise sensitive residential premises. A noise propagation test will be undertaken before the start of the event to ascertain the maximum noise levels at the mixing position of each stage.
17. A Dispersal Policy will be in place and attached to this Licence and is a Condition of the Premises Licence.
18. Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.
19. A Smoking Policy will be in place and attached to this Licence and is a Condition of the Premises Licence.
20. The area will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.
21. Local taxi numbers shall be made available for customers, to assist in procuring a taxi.
22. The Challenge 25 Policy shall be implemented in full and appropriate identification shall be sought from any person who appeared under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.
23. Staff training shall include the Challenge 25 policy and its operation. The training shall be given to a new member of staff before they commence employment, and all staff will be retrained at least annually.
24. Notices shall be displayed inside the premises warning that it is illegal to purchase – or attempt to purchase – alcohol under the age of 18.

### **Annex 3 – Conditions attached after hearing by the licensing authority**

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. SIA registered door staff shall be employed at the premises at a ratio of 1:100 from opening until 30 minutes after close to assist with the orderly dispersal of customers.

3. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour.
4. At the beginning of each month the operator shall email Greater Manchester Police a schedule of events that are due to take place at the premises along with expected capacities. If any events are subsequently added to that month's listing, then the operator shall email GMP with these updated details as soon as they confirm the booking.
5. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or any building, structure, works, street furniture, tree or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, good or services.

**Annex 4 – Plans**

See attached

MCC Licensing Register Copy



## DRUGS & ENTRY POLICY

- The premises promotes sensible drinking.
- Valid Passports & Drivers Licenses will be accepted on entry
- A ticket does not guarantee entry
- Management reserves the right to refuse entry
- A search policy is in operation on an entry
- Drug Amnesty bins may be available at the entrance
- ID will be checked on entry. Challenge 25 is in operation in the venue
- Maximum bag allowed into the venue size A4 envelope
- The Loft does not tolerate drug taking – anyone found with drugs will be ejected
- No liquids, glass or aerosols, including perfumes makeup or sprays.
- 10ml max for vaping liquid
- No food or drinks of any sort.
- No football shirts or football clothing
- Weapons or flares or pyrotechnic devices.
- No umbrellas.
- Please leave quietly following the securities directions
- Management reserve the right to refuse admission
- No umbrellas allowed in this venue

If you arrive with any of the above items you will usually be able to dispose of it/them at the entrance.

No items left at the gate will be able to be collected once the customer has left the entrance.

Items surrendered at the entrance can be disposed of immediately.

## DISPERSAL POLICY

- Aim & objective - to ensure efficient & quiet exit from the premises.
- No drinks to be taken outside of the premises
- Customers to be emailed prior to event full dispersal policy
- Customers to be emailed local taxi & public transportation routes prior to each event
- Local taxi numbers to be printed and present on site
- Dispersal proceedings to be handled by competent SIA security team
- Premises has a gated outside area to hold customers until the method of transport has arrived to control numbers outside the premises.
- exterior lighting outside to assist with the dispersal process
- events to finish at a time whereby less traffic is present

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## SMOKING POLICY

There will be no smoking indoors - smoking limited to the outdoor area which will be managed by SIA security to control behaviour, noise levels and quantities.

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

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	272412
Granted	04/05/2022
Latest version	As above

### Part 1 - Premises details

Name and address of premises
<b>Summer of Love</b> 200 Dantzic Street, Manchester, M4 4DD
Telephone number

Licensable activities authorised by the licence
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> <li>Performance of plays;</li> <li>Exhibition of films;</li> <li>Live music;</li> <li>Recorded music;</li> <li>Performances of dance;</li> <li>Anything similar to live music, recorded music or the performance of dance.</li> </ul> </li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities
--

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start of permitted hours on New Year's Eve to the to the end of permitted hours on New Year's Day.							





## Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
  - (2) For the purposes of the condition set out in (1) above–
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
    - (b) “permitted price” is the price found by applying the formula–
 
$$P = D + (D \times V)$$
 where –
      - (i) P is the permitted price,
      - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
    - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
      - (i) the holder of the premises licence,
      - (ii) the designated premises supervisor (if any) in respect of such a licence, or
      - (iii) the personal licence holder who makes or authorises a supply of

alcohol under such a licence;

- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

### Exhibition of films

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

### Annex 2 – Conditions consistent with the operating schedule

1. All events will have a venue duty manager appointed by the Premises Licence Holder, who will be the designated point of contact for the Licensing Authority and Responsible Authorities throughout the event.
2. There will be a dedicated phone number for residents and businesses in the local area to contact the venue in the case of any concern during business hours and during any event which will be distributed before any events.
3. A community liaison meeting to discuss events and venue operations with local

residents and businesses, will take place at regular intervals as agreed with the Licensing Authority.

4. A Noise Management Plan prepared by a suitably qualified noise consultant must be in place on each event to manage the noise arising and minimise disturbance to local residences.
5. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
6. Within 28 days of the grant or variation of the licence, the premises must have a documented counter-terrorism plan, which sets out counter measures to be implemented in response to a terrorist attack, through the principles of 'Guide', 'Shelter' and 'Communicate'-
  - Guide – Direct people towards the most appropriate location (in vacuation, evacuation, hide)
  - Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours
  - 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.
7. When regulated entertainment that is audible beyond the boundary of the premises is taking place, a schedule of noise monitoring shall be put in place and implemented by the Event Management Team. Every three hours regular checks shall be made and recorded outside the site boundary, at the nearest residential properties, to ensure that noise levels from the premises are reasonable and shall not be causing a noise nuisance.
8. If noise levels beyond the boundary are deemed unreasonable the Event Management Team shall be instructed to lower general noise levels. A log of recorded levels and any action taken shall be kept and made available to MCC Licensing Officers for inspection.
9. Other than the event 'The Summer of Love Festival' there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00 hours.
10. The premises shall install and maintain a comprehensive digital colour CCTV system. Covering all public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the Licensing Authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc) a secure storage system to store those recording mediums shall be provided.
11. A staff member who is conversant with the operation of the CCTV system shall be contactable at all times when they are open to the public and must be able to

produce/download/burn CCTV images upon request by a Police Officer or an Authorised Officer of the Licensing Authority.

12. An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an Authorised Officer of the Licensing Authority.
13. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or any building, structure, works, street furniture, tree or any other property, or distributed to the public, that advertises or promise the establishment, its premises, or any of its events, facilities, goods or services.
14. All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass.
15. SIA registered door staff shall be employed at the premises at a ratio of 1:100 from opening until 30 minutes after close to assist with the orderly dispersal of customers.
16. At least one member of the door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour.
17. When employed at the premises, all door staff will wear high-visibility jackets.
18. The Drugs Policy will be attached to this Licence.
19. Any person who appears to be drunk shall not be permitted to enter the premises.
20. All persons entering or re-entering the premises, may be subject to a bag search by an SIA trained member of staff, in an area monitored by CCTV. There will be a locked amnesty bin on entry for voluntary disposal.
21. Entry to events will be by ticket only, and there will be no ticket sales on the door.
22. All customers will receive an e-mail upon ticket purchase which will include local taxi numbers, the closest public transport information and a clear explanation of the dispersal process.
23. There will be no external promoters used in respect of the premises.
24. At the beginning of each month the operator shall e-mail Greater Manchester Police a schedule of events that are due to take place at the premises along with expected capacities. If any events are subsequently added to that month's listing, then the operator shall email GMP with these updated details as soon as they confirm the booking.
25. Public Liability Insurance shall be maintained in respect of the premises.
26. A Fire Safety Risk Assessment will be undertaken and sent to the Local Fire Authority ahead of the event.
27. Staff shall make regular checks of the toilet facilities.
28. Noise arising from the event will not exceed 65 dB(A) (15min) at 1m from the façade of the nearest noise sensitive residential premises. A noise propagation test will be undertaken before the start of the event to ascertain the maximum noise levels at the mixing position of each stage.
29. A Dispersal Policy will be in place and attached to this Licence and is a Condition of the Premises Licence.

30. Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.
31. A Smoking Policy will be in place and attached to this Licence and is a Condition of the Premises Licence.
32. The area will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.
33. Local taxi numbers shall be made available for customers, to assist in procuring a taxi.

Annex 3 – Conditions attached after hearing by the licensing authority
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None
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Annex 4 – Plans
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See attached
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MCC Licensing Register Copy

## DRUGS & ENTRY POLICY

- The premises promotes sensible drinking.
- Valid Passports & Drivers Licenses will be accepted on entry
- A ticket does not guarantee entry
- Management reserves the right to refuse entry
- A search policy is in operation on an entry
- Drug Amnesty bins may be available at the entrance
- ID will be checked on entry. Challenge 25 is in operation in the venue
- Maximum bag allowed into the venue size A4 envelope
- The Loft does not tolerate drug taking – anyone found with drugs will be ejected
- No liquids, glass or aerosols, including perfumes makeup or sprays.
- 10ml max for vaping liquid
- No food or drinks of any sort.
- No football shirts or football clothing
- Weapons or flares or pyrotechnic devices.
- No umbrellas.
- Please leave quietly following the securities directions
- Management reserve the right to refuse admission
- No umbrellas allowed in this venue

If you arrive with any of the above items you will usually be able to dispose of it/them at the entrance.

No items left at the gate will be able to be collected once the customer has left the entrance.

Items surrendered at the entrance can be disposed of immediately.

## DISPERSAL POLICY

- Aim & objective - to ensure efficient & quiet exit from the premises.
- No drinks to be taken outside of the premises
- Customers to be emailed prior to event full dispersal policy
- Customers to be emailed local taxi & public transportation routes prior to each event
- Local taxi numbers to be printed and present on site
- Dispersal proceedings to be handled by competent SIA security team
- Premises has a gated outside area to hold customers until the method of transport has arrived to control numbers outside the premises.
- exterior lighting outside to assist with the dispersal process
- events to finish at a time whereby less traffic is present

MCC Licensing Register Copy



## SMOKING POLICY

There will be no smoking indoors - smoking limited to the outdoor area which will be managed by SIA security to control behaviour, noise levels and quantities.

MCC Licensing Register Copy

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

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

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

I/We Animal Crossing Music Limited

*(Insert name(s) of applicant)*

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

<b>Premises licence number</b> 260078
--

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Love Factory (formerly Summer of Love) 200 -204 Dantzie Street			
Post town	Manchester	Postcode	M4 4DD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£34,750

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Reedham House 31 King Street West		
Post town	Manchester	Postcode	M3 2PJ

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?     Yes     No

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

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)     Yes     No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To extend the hours for the sale of alcohol, regulated entertainment and opening as follows:

Sale of alcohol and Regulated Entertainment until 01:00 daily.

Opening Hours until 01:30 daily.

The premises are often used for corporate staff parties and the current closing time of 23:00 is not sufficient for this purpose as longer hours are often requested. Since opening the premises there have been no issues or complaints received regarding the operation.

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

**Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

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

**Supply of alcohol** (if ticking yes, fill in box J) X

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	11:00	01:00			
Fri	11:00	01:00	<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 7)		
Sat	11:00	01:00			
Sun	11:00	01:00			



## B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	<input type="checkbox"/>
				Both	x
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	11:00	01:00			
	-----	-----			
Tue	11:00	01:00			
	-----	-----	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Wed	11:00	01:00			
	-----	-----			
Thur	11:00	01:00			
	-----	-----	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	11:00	01:00			
	-----	-----			
Sat	11:00	01:00			
	-----	-----			
Sun	11:00	01:00			
	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	<input type="checkbox"/>
				Both	x
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	11:00	01:00			
	-----	-----			
Tue	11:00	01:00			
	-----	-----			
Wed	11:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
	-----	-----			
Thur	11:00	01:00			
	-----	-----			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	-----	-----			
Sat	11:00	01:00			
	-----	-----			
Sun	11:00	01:00			
	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	11:00	01:00			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	01:00			
Sun	11:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
	-----	-----			
Tue	11:00	01:00			
	-----	-----			
Wed	11:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
	-----	-----			
Thur	11:00	01:00			
	-----	-----			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	-----	-----			
Sat	11:00	01:00			
	-----	-----			
Sun	11:00	01:00			
	-----	-----			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			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 4)	Indoors	
Mon	11:00	01:00		Outdoors	<input type="checkbox"/>
				Both	x
Tue	11:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	11:00	01:00			
Thur	11:00	01:00	<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 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
Fri	11:00	01:00			
Sat	11:00	01:00	<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 7)		
Sun	11:00	01:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 5)	
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					



J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	x
Mon	11:00	01:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day..		
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00		<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 7)	
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	01:00			

K

<p><b>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</b> (please read guidance note 10).</p> <p>N/A</p>
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.
Day	Start	Finish	
Mon	11:00	01:30	
	-----	-----	
Tue	11:00	01:30	
	-----	-----	
Wed	11:00	01:30	
	-----	-----	
Thur	11:00	01:30	<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 7)
	-----	-----	
Fri	11:00	01:30	
	-----	-----	
Sat	11:00	01:30	
	-----	-----	
Sun	11:00	01:30	
	-----	-----	

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

Please tick as appropriate

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

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

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

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Please see current Premises Licence - 260078

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

Please see current Premises Licence - 260078

**c) Public safety**

Please see current Premises Licence - 260078

**d) The prevention of public nuisance**

Please see current Premises Licence - 260078

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

Please see current Premises Licence - 260078

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or X
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I understand that I must now advertise my application. x
- I have enclosed the premises licence or relevant part of it or explanation. x
- I understand that if I do not comply with the above requirements my application will be rejected. X

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature		
Date		
Capacity		

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			



## Progress Centre Noise Report 15/04/2023

The purpose of this document is to assess the noise measurements recorded on 15/04/2023 with the intention of working alongside Manchester City Council to mitigate noise nuisance to residents whilst allowing the Progress Centre events to continue effectively over the planned dates.

These are the first measurements taken at the Progress Centre and have been taken due to the noise complaints received on previous events. It is the plan moving forward that every event will have noise measurements taken throughout so we can work effectively with the Council using quantitative data to ensure sound levels remain acceptable.

This report is written by the sound engineer who will be working a large portion of these events.

### Measurement types and method

Two types of measurements are being assessed in this report, these are:

- LAeq
- 1/3 Octave dB ranging from 31.5 - 20,000Hz

Both measurement types were taken over a 1 minute period each time ensuring the music was at a normal point when recording (not during particular points of quiet dependent on the act).

Measurements are also taken at different times of the event in order to assess any changes in the sound level as the event progresses.

The LAeq measurements were used in order to take an average level reading relevant to the human ear. This is a useful tool to gauge the overall level of the music.

1/3 Octave measurements were taken in order to assess more in-depth information on the levels at particular frequencies. This may be very useful going forward as if we are able to find the particular problematic frequencies affecting residents then they can be targeted independently reducing noise issues for residents.

### Locations

Three locations have been chosen for these measurements in an attempt to assess the impact on the surrounding area.

It should be noted that these locations were chosen with no knowledge of the actual location of the noise complaints and are instead estimations as to where noise may be an issue. It should also be noted that all these measurements were taken on the ground in public areas and noise levels may differ if you are in a tall flat complex for similar building.

The first location is our 'constant' and will not change moving forward. This will allow for direct comparisons to be made between events in order to ensure we can easily monitor when the sound is becoming too loud.

This first location is onsite of the Progress centre in the direction of the loudspeakers and away from the large areas of people in order to achieve the clearest measurements of the loudspeakers with minimal affect from audience noise.

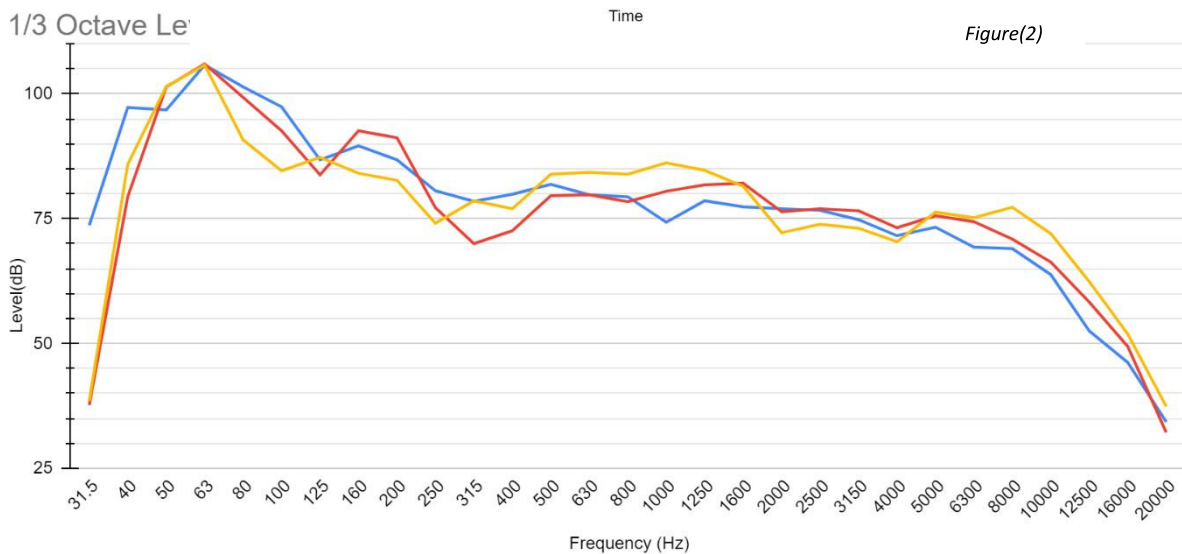
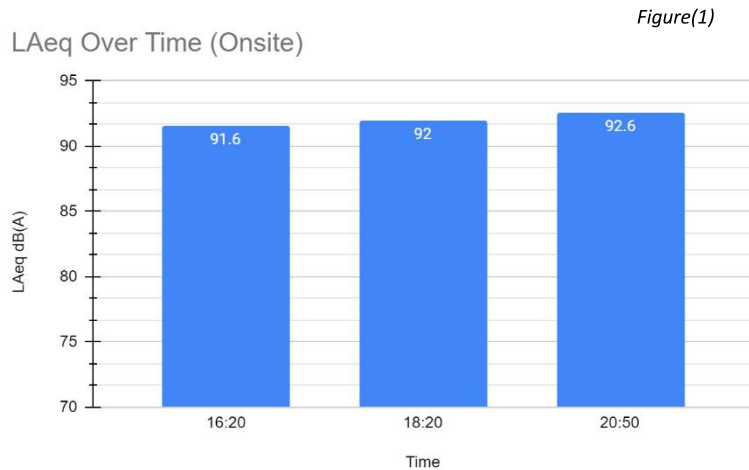
The second location is at the intersection of Cotter St and Ardwick Green N. This location is behind the direction of the speakers and was chosen due to the residential properties located within close proximity to the Progress Centre.

The third location is Baring Street Carpark which is located next to the 'Unite Students' flats. This location was chosen as it is in the direction of the loudspeakers and next to a large number of residential flats.

### Measurements

This section of the report will show plots of the measurements, the tables containing the exact measurements is in the appendix of this document.

#### Onsite (constant location):





*Figure(1)* displays the LAeq measurements onsite at Progress Centre at three different times of the night. This shows that the sound level remained largely the same between the hours of 16:20 and 20:50 with only a 1dB(A) increase. This was achieved despite the audience being far larger at 20:50 than 16:20 and likely largely due to the delay speakers put in place for this event. This is also likely to be due to the purposeful reduction in bass frequencies as the music began to get louder therefore reducing the overall average LAeq and reducing the amount of low frequency noise affecting residents.

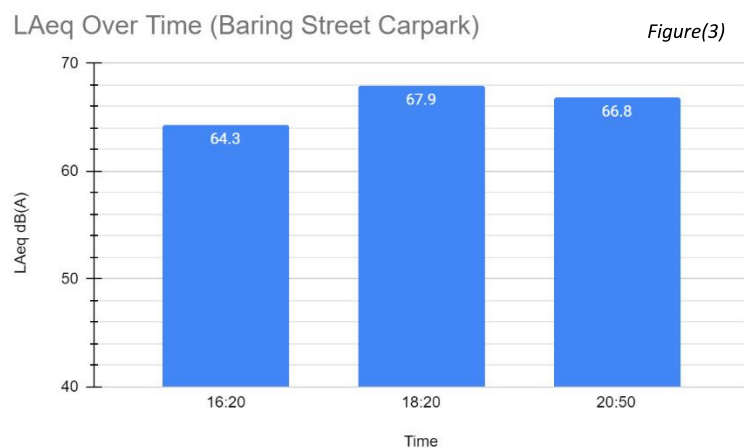
*Figure(2)* shows the 1/3 Octave measurements, again measured at 3 separate times throughout the night. We can see lots of crossover in these results and little in the way of a clear change between the different times, this is likely caused by different acts playing different music with different frequency content each time a measurement is taken.

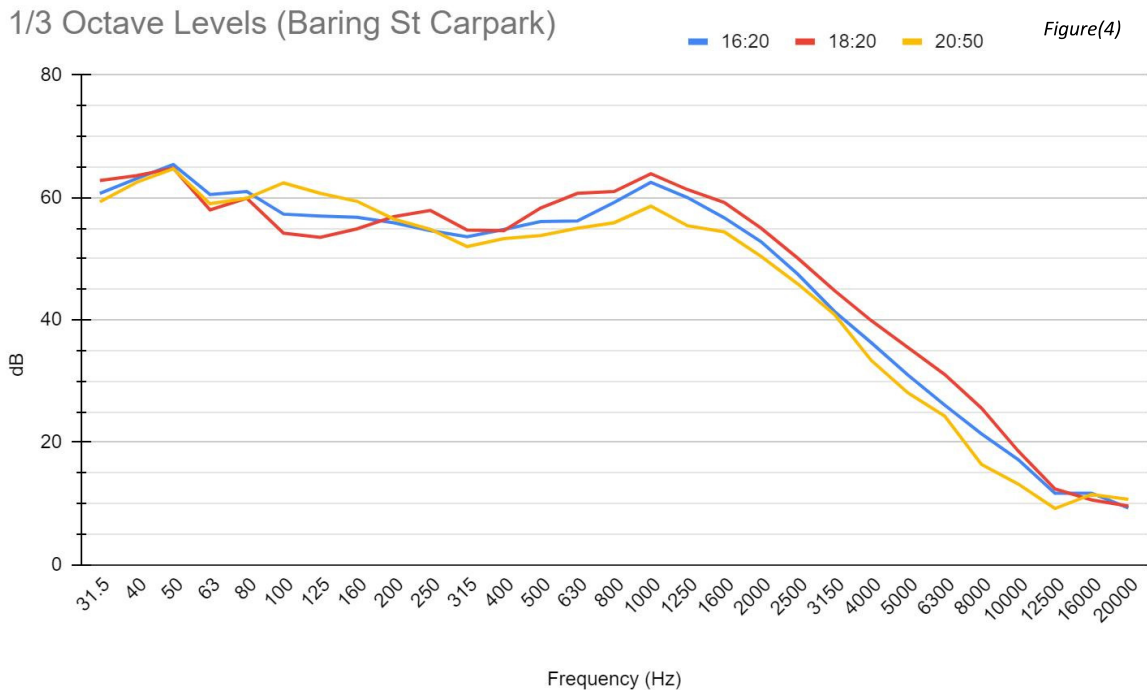
We can however see that on average the low frequencies either remain the same or reduce as the night gets later despite the overall LAeq level increasing slightly. This is likely due to the purposeful reduction in low frequencies as the night got later.

#### **Cotter St:**

No readings were taken at Cotter St due to the fact that at all 3 measuring times the music from Progress Centre was inaudible at this location. Whilst this means that the residents near this location are unlikely to be affected by the events, it does not mean that other buildings in this direction such as tall flat complexes are not affected.

#### **Baring Street Carpark:**





On first inspection of *Figure(1)* one may assume that the levels from the Progress centre are fluctuating significantly. However, if we compare these measurements with the measurements taken onsite they do not match. In theory, these results should change over time relative to the results taken onsite (for example, if the level onsite increases by 2dB, we should expect to see the level in another also increase by approximately the same amount). This however is not the case here as we see very different changes over time. We can therefore conclude that it is noise from different factors affecting these results. For example, whilst attempts were made to avoid road noise during these measurements, there was definitely road noise close to this location for which almost definitely skewed these results. As the night progressed it should also be noted that other bars close to this location started to play music which may also have skewed the results.

### Plan for Future Events:

Moving forward we plan on continuing to measure the sound levels for events at the Progress Centre. The onsite location will remain constant throughout these events in order to remain consistent. This allows us to effectively monitor and control the levels mitigating the noise reaching local residents.

For example, if the council did not receive noise complaint on the 15/04/2023 and are happy with the noise created by the event on this date, we are able to ensure future events have the same treatment and remain at the same level.

We would also like to request of Manchester City Council any information which may help us mitigate noise nuisance. For example, if knowledge of problematic locations or even access to flats is available then this will allow better measurements to be attained. This may allow us to find particular frequencies which are affecting the residents, we would then be able to reduce these specific frequencies therefore reducing the noise nuisance.

## Appendix

Onsite Progress Centre	
Time	LAeq dB(A)
16:20	91.6
18:20	92
20:50	92.6

Onsite Progress Centre			
Frequency (Hz)	Level (dB)		
	16:20	18:20	20:50
31.5	73.7	37.7	38.5
40	97.3	79.4	85.9
50	96.8	101.4	101.5
63	105.8	106	105.8
80	101.4	99.3	90.8
100	97.4	92.6	84.6
125	86.8	83.8	87.3
160	89.6	92.6	84.1
200	86.8	91.2	82.7
250	80.6	77.2	74.1
315	78.5	70	78.6
400	79.9	72.6	77
500	81.9	79.6	83.9
630	79.8	79.8	84.3
800	79.4	78.4	83.9
1000	74.3	80.5	86.2
1250	78.6	81.8	84.7
1600	77.4	82.1	81.5
2000	77	76.4	72.2
2500	76.7	77	73.9
3150	74.8	76.6	73.1
4000	71.6	73.2	70.4
5000	73.3	75.6	76.3
6300	69.3	74.4	75.2
8000	69	70.9	77.3
10000	63.8	66.3	72
12500	52.5	58.3	62.4
16000	46.2	49.4	51.9
20000	34.3	32.2	37.4

Baring Street Carpark	
Time	LAeq dB(A)
16:20	64.3
18:20	67.9
20:50	66.8

Baring Street Carpark			
	Level (dB)		
Frequency (Hz)	16:20	18:20	20:50
31.5	60.7	62.8	59.3
40	63.1	63.6	62.5
50	65.4	64.8	64.7
63	60.5	58	59
80	61	59.9	59.9
100	57.3	54.2	62.4
125	57	53.5	60.7
160	56.8	54.9	59.4
200	55.9	56.9	56.5
250	54.6	57.9	54.8
315	53.6	54.7	52
400	54.8	54.6	53.3
500	56.1	58.3	53.8
630	56.2	60.7	55
800	59.2	61	55.9
1000	62.5	63.9	58.6
1250	60	61.3	55.4
1600	56.7	59.2	54.4
2000	52.8	55	50.4
2500	47.5	50.1	45.9
3150	41.4	44.8	40.9
4000	36.3	39.9	33.4
5000	31	35.5	28.1
6300	26.1	31.1	24.3
8000	21.4	25.6	16.4
10000	17.2	18.6	13.2
12500	11.7	12.4	9.2
16000	11.7	10.6	11.5
20000	9.3	9.6	10.7

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

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

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

I/We Summer of Love Limited

*(Insert name(s) of applicant)*

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

**Premises licence number**

272412

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  
Love Factory (formerly Summer of Love)  
200 Dantzic Street

Post town	Manchester	Postcode	M4 4DD
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£34,750
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**Part 2 – Applicant details**

Daytime contact telephone number	
----------------------------------	--

E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	Reedham House 31 King Street West
---	--------------------------------------

Post town	Manchester	Postcode	M3 2PJ
-----------	------------	----------	--------

**Part 3 - Variation**





**Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

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

**Supply of alcohol** (if ticking yes, fill in box J) X

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	11:00	01:00			
Fri	11:00	01:00	<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 7)		
Sat	11:00	01:00			
Sun	11:00	01:00			

## B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	11:00	01:00			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	01:00			
Sun	11:00	01:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	x
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	11:00	01:00			
Tue	11:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
Wed	11:00	01:00			
Thur	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	x
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	11:00	01:00			
Tue	11:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Wed	11:00	01:00			
Thur	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	01:00			

## G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	x
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
Thur	11:00	01:00			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	01:00			
Sun	11:00	01:00			



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			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 4)	Indoors	
Mon	11:00	01:00		Outdoors	<input type="checkbox"/>
				Both	x
Tue	11:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	11:00	01:00			
Thur	11:00	01:00	<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 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		
Fri	11:00	01:00			
Sat	11:00	01:00	<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 7)		
Sun	11:00	01:00			

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 5)	
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	x
Mon	11:00	01:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day..		
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00	<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 7)		
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	01:00			

K

<p><b>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</b> (please read guidance note 10).</p> <p>N/A</p>
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.
Day	Start	Finish	
Mon	11:00	01:30	
	-----	-----	
Tue	11:00	01:30	
	-----	-----	
Wed	11:00	01:30	
	-----	-----	
Thur	11:00	01:30	<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 7)
	-----	-----	
Fri	11:00	01:30	
	-----	-----	
Sat	11:00	01:30	
	-----	-----	
Sun	11:00	01:30	
	-----	-----	

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

Please tick as appropriate

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

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

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

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Please see current Premises Licence – 272412

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

Please see current Premises Licence - 272412

**c) Public safety**

Please see current Premises Licence - 272412

**d) The prevention of public nuisance**

Please see current Premises Licence – 272412

We are seeking to remove Condition 9 at Annex 2 which reads as follows:  
 “Other than the event ‘The Summer of Love Festival’ there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00 hours”.

And to replace with the following:

*Addition to the end of Condition 7 of Annex 2* – A record shall be kept of all monitoring which takes place outside the boundary of the premises, including the date, time and location of monitoring; the name of the monitor, and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a Police Officer or an Authorised Officer of Manchester City Council.

A qualified Sound Engineer will be on site prior to and during events to assist with the monitoring of noise levels and any subsequent action required.

Members of staff will direct customers leaving the premises in a direction away from the nearest residential areas.

--

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

Please see current Premises Licence - 272412

--

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or X
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I understand that I must now advertise my application. x
- I have enclosed the premises licence or relevant part of it or explanation. x
- I understand that if I do not comply with the above requirements my application will be rejected. X

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature		
Date		
Capacity		

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)				
██████████				
████████████████████				
████████████████████				
██████████				
<b>Post town</b>		██████████	<b>Post code</b>	██████████
<b>Telephone number (if any)</b>		██████████		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>				
████████████████████-				

#### Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.



## Progress Centre Noise Report 15/04/2023

The purpose of this document is to assess the noise measurements recorded on 15/04/2023 with the intention of working alongside Manchester City Council to mitigate noise nuisance to residents whilst allowing the Progress Centre events to continue effectively over the planned dates.

These are the first measurements taken at the Progress Centre and have been taken due to the noise complaints received on previous events. It is the plan moving forward that every event will have noise measurements taken throughout so we can work effectively with the Council using quantitative data to ensure sound levels remain acceptable.

This report is written by the sound engineer who will be working a large portion of these events.

### Measurement types and method

Two types of measurements are being assessed in this report, these are:

- LAeq
- 1/3 Octave dB ranging from 31.5 - 20,000Hz

Both measurement types were taken over a 1 minute period each time ensuring the music was at a normal point when recording (not during particular points of quiet dependent on the act).

Measurements are also taken at different times of the event in order to assess any changes in the sound level as the event progresses.

The LAeq measurements were used in order to take an average level reading relevant to the human ear. This is a useful tool to gauge the overall level of the music.

1/3 Octave measurements were taken in order to assess more in-depth information on the levels at particular frequencies. This may be very useful going forward as if we are able to find the particular problematic frequencies affecting residents then they can be targeted independently reducing noise issues for residents.

### Locations

Three locations have been chosen for these measurements in an attempt to assess the impact on the surrounding area.

It should be noted that these locations were chosen with no knowledge of the actual location of the noise complaints and are instead estimations as to where noise may be an issue. It should also be noted that all these measurements were taken on the ground in public areas and noise levels may differ if you are in a tall flat complex for similar building.

The first location is our 'constant' and will not change moving forward. This will allow for direct comparisons to be made between events in order to ensure we can easily monitor when the sound is becoming too loud.

This first location is onsite of the Progress centre in the direction of the loudspeakers and away from the large areas of people in order to achieve the clearest measurements of the loudspeakers with minimal affect from audience noise.

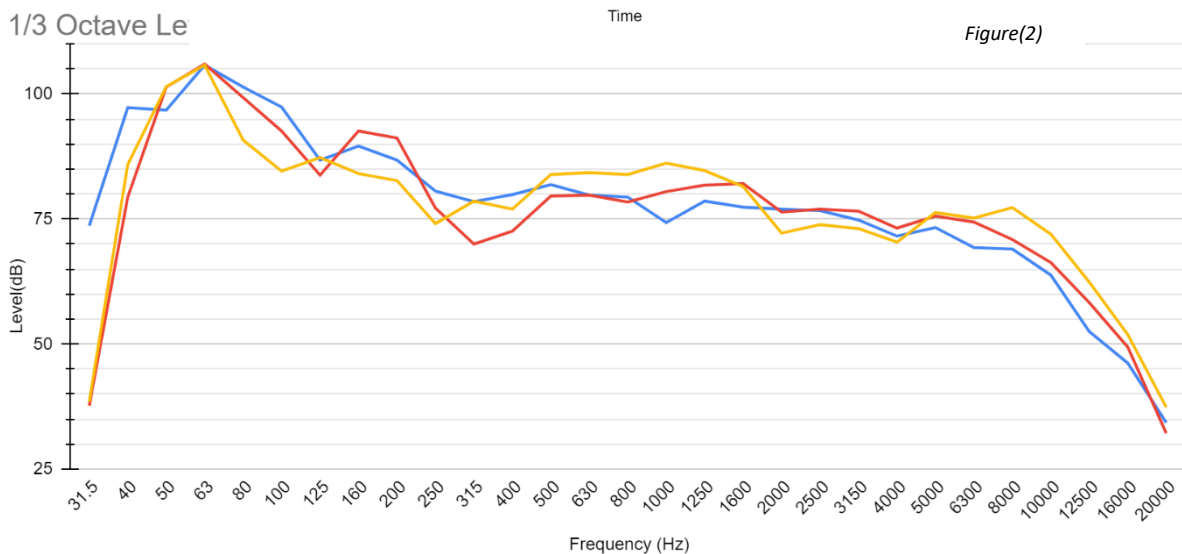
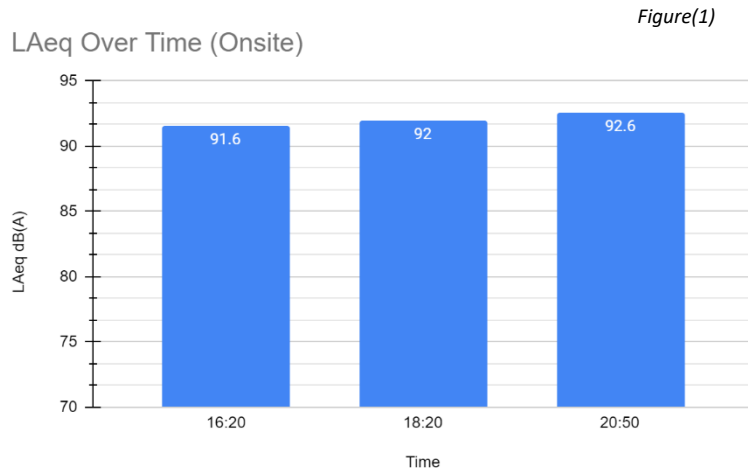
The second location is at the intersection of Cotter St and Ardwick Green N. This location is behind the direction of the speakers and was chosen due to the residential properties located within close proximity to the Progress Centre.

The third location is Baring Street Carpark which is located next to the 'Unite Students' flats. This location was chosen as it is in the direction of the loudspeakers and next to a large number of residential flats.

### Measurements

This section of the report will show plots of the measurements, the tables containing the exact measurements is in the appendix of this document.

#### Onsite (constant location):



*Figure(1)* displays the LAeq measurements onsite at Progress Centre at three different times of the night. This shows that the sound level remained largely the same between the hours of 16:20 and 20:50 with only a 1dB(A) increase. This was achieved despite the audience being far larger at 20:50 than 16:20 and likely largely due to the delay speakers put in place for this event. This is also likely to be due to the purposeful reduction in bass frequencies as the music began to get louder therefore reducing the overall average LAeq and reducing the amount of low frequency noise affecting residents.

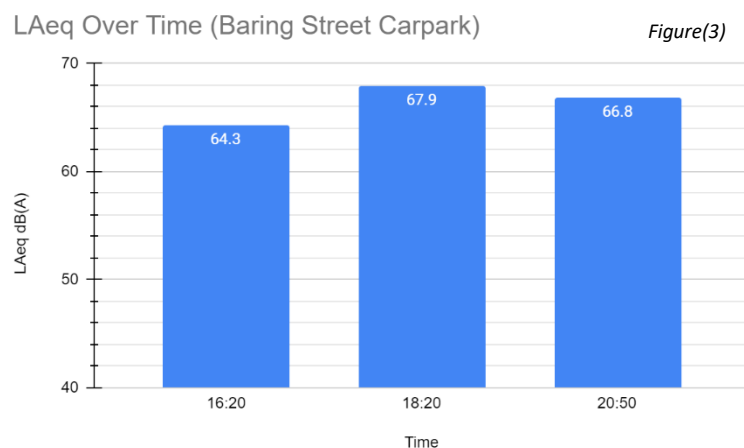
*Figure(2)* shows the 1/3 Octave measurements, again measured at 3 separate times throughout the night. We can see lots of crossover in these results and little in the way of a clear change between the different times, this is likely caused by different acts playing different music with different frequency content each time a measurement is taken.

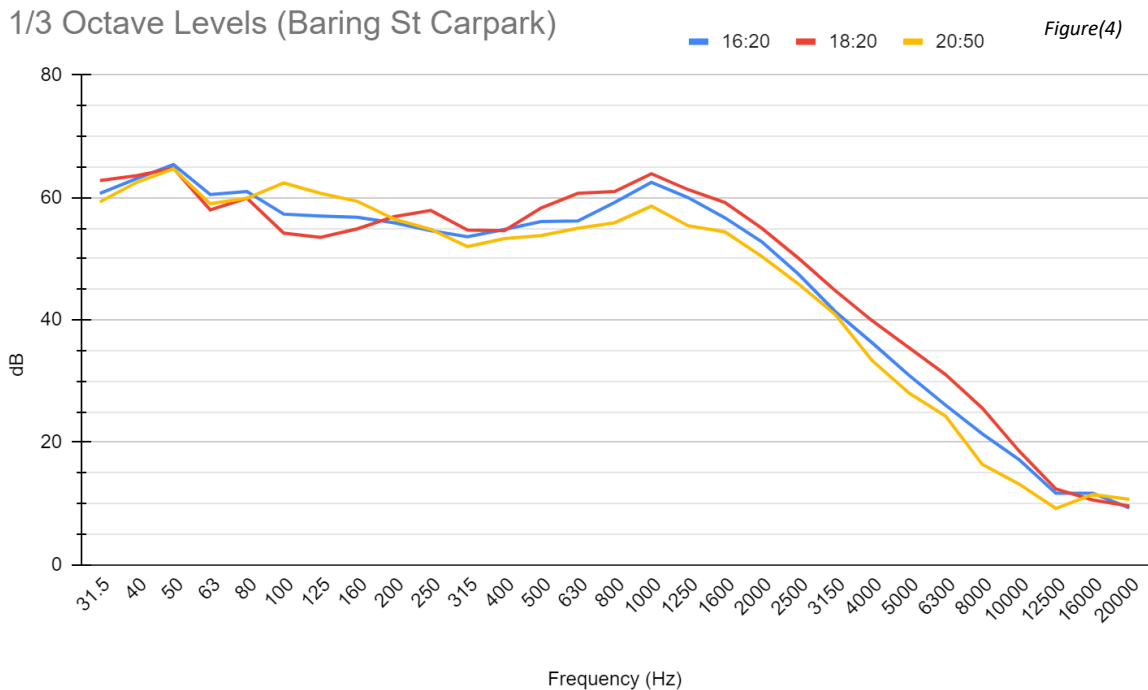
We can however see that on average the low frequencies either remain the same or reduce as the night gets later despite the overall LAeq level increasing slightly. This is likely due to the purposeful reduction in low frequencies as the night got later.

#### **Cotter St:**

No readings were taken at Cotter St due to the fact that at all 3 measuring times the music from Progress Centre was inaudible at this location. Whilst this means that the residents near this location are unlikely to be affected by the events, it does not mean that other buildings in this direction such as tall flat complexes are not affected.

#### **Baring Street Carpark:**





On first inspection of *Figure(1)* one may assume that the levels from the Progress centre are fluctuating significantly. However, if we compare these measurements with the measurements taken onsite they do not match. In theory, these results should change over time relative to the results taken onsite (for example, if the level onsite increases by 2dB, we should expect to see the level in another also increase by approximately the same amount). This however is not the case here as we see very different changes over time. We can therefore conclude that it is noise from different factors affecting these results. For example, whilst attempts were made to avoid road noise during these measurements, there was definitely road noise close to this location for which almost definitely skewed these results. As the night progressed it should also be noted that other bars close to this location started to play music which may also have skewed the results.

### Plan for Future Events:

Moving forward we plan on continuing to measure the sound levels for events at the Progress Centre. The onsite location will remain constant throughout these events in order to remain consistent. This allows us to effectively monitor and control the levels mitigating the noise reaching local residents.

For example, if the council did not receive noise complaint on the 15/04/2023 and are happy with the noise created by the event on this date, we are able to ensure future events have the same treatment and remain at the same level.

We would also like to request of Manchester City Council any information which may help us mitigate noise nuisance. For example, if knowledge of problematic locations or even access to flats is available then this will allow better measurements to be attained. This may allow us to find particular frequencies which are affecting the residents, we would then be able to reduce these specific frequencies therefore reducing the noise nuisance.

## Appendix

Onsite Progress Centre	
Time	LAeq dB(A)
16:20	91.6
18:20	92
20:50	92.6

Onsite Progress Centre			
Frequency (Hz)	Level (dB)		
	16:20	18:20	20:50
31.5	73.7	37.7	38.5
40	97.3	79.4	85.9
50	96.8	101.4	101.5
63	105.8	106	105.8
80	101.4	99.3	90.8
100	97.4	92.6	84.6
125	86.8	83.8	87.3
160	89.6	92.6	84.1
200	86.8	91.2	82.7
250	80.6	77.2	74.1
315	78.5	70	78.6
400	79.9	72.6	77
500	81.9	79.6	83.9
630	79.8	79.8	84.3
800	79.4	78.4	83.9
1000	74.3	80.5	86.2
1250	78.6	81.8	84.7
1600	77.4	82.1	81.5
2000	77	76.4	72.2
2500	76.7	77	73.9
3150	74.8	76.6	73.1
4000	71.6	73.2	70.4
5000	73.3	75.6	76.3
6300	69.3	74.4	75.2
8000	69	70.9	77.3
10000	63.8	66.3	72
12500	52.5	58.3	62.4
16000	46.2	49.4	51.9
20000	34.3	32.2	37.4

Baring Street Carpark	
Time	LAeq dB(A)
16:20	64.3
18:20	67.9
20:50	66.8

Baring Street Carpark			
Frequency (Hz)	Level (dB)		
	16:20	18:20	20:50
31.5	60.7	62.8	59.3
40	63.1	63.6	62.5
50	65.4	64.8	64.7
63	60.5	58	59
80	61	59.9	59.9
100	57.3	54.2	62.4
125	57	53.5	60.7
160	56.8	54.9	59.4
200	55.9	56.9	56.5
250	54.6	57.9	54.8
315	53.6	54.7	52
400	54.8	54.6	53.3
500	56.1	58.3	53.8
630	56.2	60.7	55
800	59.2	61	55.9
1000	62.5	63.9	58.6
1250	60	61.3	55.4
1600	56.7	59.2	54.4
2000	52.8	55	50.4
2500	47.5	50.1	45.9
3150	41.4	44.8	40.9
4000	36.3	39.9	33.4
5000	31	35.5	28.1
6300	26.1	31.1	24.3
8000	21.4	25.6	16.4
10000	17.2	18.6	13.2
12500	11.7	12.4	9.2
16000	11.7	10.6	11.5
20000	9.3	9.6	10.7

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

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**MANCHESTER  
CITY COUNCIL**

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

Name	Ben Spencer
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	ben.spencer@manchester.gov.uk
Telephone Number	0161 245 7735

**Premise Details**

Application Ref No	REF 287630
Name of Premises	The Love Factory
Address	200-204 Dantzic Street, Manchester, M4 4DD

**Representation**

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

The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting of this application considering a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risks that the granting application could undermine the licensing objectives.

Love Factory is located on Dantzic Street. The area is currently undergoing major regeneration, with large residential units being built on the land directly adjacent to the Love Factory premises.



The applicant has applied to extend hours for opening until 01:30 every day. The sale of alcohol and regulated entertainment until 01:00 every day.

They have also applied to remove:

Condition 9 Annex 2

Other than the event “The Summer of Love Festival” there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00.



Distance between Love Factory main warehouse and residential windows only a few meters.

LOOH have received over 10 separate noise complaints regarding the events in 2021, one was from a residential property over 2 miles away. Officers attended and confirmed the music at several addresses matched that of the premises. This would indicate there is the potential a huge number of people affected who may not have complained.

The removal of Annex 2 Condition 9 would increase the likelihood of noise complaints from the surrounding residents, allowing the premises to operate with amplified music until 01:00 hrs every day of the week, would significantly undermine the public nuisance licensing objective.

The Manchester City Council Statement of Licensing Policy states that:

*MS8 Prevent noise nuisance from the premises*

*Noise disturbance from licensed premises normally arises two ways. The first is in noise breakout from licensed premises themselves, which affects*

*adjacent properties either via transmission through the structure of the building, or through airborne sound. This can be caused by noise from music, vibration and/or raised voices.*

*Low-frequency energy is also more transmissible over distance and through building structures and tends not to be present in the background noise environment. The introduction of a low-frequency bass-beat will therefore be more noticeable to nearby residents, particularly late at night.*

*Consideration should be given to the risk of nuisance from music breakout from the premises and include all appropriate measures. Relevant measures could include:*

- *The provision of acoustic glazing*
- *The installation of sound limiters linked to any sound amplification equipment at appropriate levels*
- *The provision of acoustically treated ventilation*
- *The installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment*
- *Prohibition of the external playing of amplified music*
- *Restriction of the hours of operation of outside drinking areas*
- *Establishment of maximum noise levels*
- *The provision of a scheme of internal acoustic treatment to the premises.*

Due to the previous complaints received from residents and the proximity to new residential properties, the LOOH team do not believe the variation to extend opening hours every day and removal of the condition regarding amplified music outside after 20:00 hrs would support the prevention of public nuisance licensing objective and therefore would recommend the application is refused.

Recommendation: Refuse Application



**MANCHESTER  
CITY COUNCIL**

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

Name	Ben Spencer
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	ben.spencer@manchester.gov.uk
Telephone Number	0161 245 7735

**Premise Details**

Application Ref No	REF 287631
Name of Premises	The Love Factory
Address	200-204 Dantzic Street, Manchester, M4 4DD

**Representation**

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

The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting of this application considering a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risks that the granting application could undermine the licensing objectives.

Love Factory is located on Dantzic Street. The area is currently undergoing major regeneration, with large residential units being built on the land directly adjacent to the Love Factory premises.





The applicant has applied to extend hours for opening until 01:30 every day. The sale of alcohol and regulated entertainment until 01:00 every day.

They have also applied to remove:

Condition 9 Annex 2

Other than the event “The Summer of Love Festival” there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00.



Distance between Love Factory main warehouse and residential windows only a few meters.

LOOH have received over 10 separate noise complaints regarding the events in 2021, one was from a residential property over 2 miles away. Officers attended and confirmed the music at several addresses matched that of the premises. This would indicate there is the potential a huge number of people affected who may not have complained.

The removal of Annex 2 Condition 9 would increase the likelihood of noise complaints from the surrounding residents, allowing the premises to operate with amplified music until 01:00 hrs every day of the week, would significantly undermine the public nuisance licensing objective.

The Manchester City Council Statement of Licensing Policy states that:

*MS8 Prevent noise nuisance from the premises*

*Noise disturbance from licensed premises normally arises two ways. The first is in noise breakout from licensed premises themselves, which affects*

*adjacent properties either via transmission through the structure of the building, or through airborne sound. This can be caused by noise from music, vibration and/or raised voices.*

*Low-frequency energy is also more transmissible over distance and through building structures and tends not to be present in the background noise environment. The introduction of a low-frequency bass-beat will therefore be more noticeable to nearby residents, particularly late at night.*

*Consideration should be given to the risk of nuisance from music breakout from the premises and include all appropriate measures. Relevant measures could include:*

- The provision of acoustic glazing*
- The installation of sound limiters linked to any sound amplification equipment at appropriate levels*
- The provision of acoustically treated ventilation*
- The installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment*
- Prohibition of the external playing of amplified music*
- Restriction of the hours of operation of outside drinking areas*
- Establishment of maximum noise levels*
- The provision of a scheme of internal acoustic treatment to the premises.*

Due to the previous complaints received from residents and the proximity to new residential properties, the LOOH team do not believe the variation to extend opening hours every day and removal of the condition regarding amplified music outside after 20:00 hrs would support the prevention of public nuisance licensing objective and therefore would recommend the application is refused.

Recommendation: Refuse Application

**From:** [REDACTED]  
**Sent:** 23 May 2023 10:06  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Licence Variation References 287630/HH1 and 287631/HH1; Love Factory, 200-204 Dantzic St, M4 4DD

Dear Sirs

Further to my earlier email.

I attach a joint application from 24 local residents objecting to the above licence variations, together with a copy of the notice which explained the application for the benefit of the residents, who were totally unaware of it.

Please advise if there is any problem with the attachments or if you require the original signature sheets, and I will post them to you.

Kind regards

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 23 May 2023 09:58  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** Pat Karney <cllr.pat.karney@manchester.gov.uk>  
**Subject:** Licence Variation References 287630/HH1 and 287631/HH1; Love Factory, 200-204 Dantzic St, M4 4DD

Dear Sirs

I am writing to object to the above licence variation applications being granted (Public nuisance, public safety, prevention of crime and disorder.)

The main grounds for this objection is unacceptable noise levels from the event, already evident last year from the site's operation under the terms of its current licence (see below).

Secondly, there is a further nuisance from long lines of taxis pulling up on Dalton Street late at night, doors slamming, drunken people shouting, widespread littering.

#### Detailed information

A number of events were staged last summer which started in the afternoon and finished at around 11-30pm each day from Friday to Sunday. I live [REDACTED], which is 0.45 miles (2400ft), as the crow flies, from the premises. My [REDACTED] music could be heard very clearly during the event, and my [REDACTED] windows were rattling with the boom-boom of the bass sound. I had to take my TV into the bedroom to be able to watch it and escape the hours of torture that ensued, yet still sound could be heard via the side windows, even with them closed.

[REDACTED] flats, and there are two other identical blocks on this site, and a further one just on the other side of Rochdale Road. Most of these flats are occupied by long-term residents over 55 years of age, many considerably older, and some

disabled. There are also the three "Bronte Sisters" blocks of similar size even nearer to the venue, and housing along Dalton Street. However, to the other sides of the venue are the Tobacco Factory development, the entire huge Green Quarter site, the new developments at Meadow Side, and the upcoming new prestige apartments at Victoria Riverside (which are right next door to the venue itself!). All in all, **thousands of close residents within earshot are affected.**

The licence variations, if granted, will therefore make an existing problem a whole lot worse by virtue of later hours and playing of amplified music not just inside the venue, but outdoors as well.

The licence application states that "since the opening of the premises there have been no issues or complaints received regarding the operation". **This is simply untrue.** An examination of the records of the Council's Licensing and Out of Hours Team will reveal that I made a complaint one Saturday early evening last summer. The officer also informed me that some other complaints had been made. After a discussion, an officer was eventually sent out to the premises, thereafter the sound level reduced, but only for about an hour, after which it returned to the former level.

The licence application also states that "A sample noise report has been submitted with the application". I would argue that the Council should not accept this as supporting evidence as:

1. There is no guarantee or safeguard to ensure that the noise will actually be kept to those levels at the time of the events. DJ's are known to crank up volumes in response to their audiences' requests and responses.
2. The levels are meaningless if they are recorded on the site where they come from rather than in the locations where they are experienced by affected parties.

#### Council's Duty of Care

Manchester City Council Licensing have failed in their Duty of Care to residents in allowing the original licence in the first place. Although the premises are located in an area that was once an industrial part of the city, it is now predominantly a residential area. It is in fact, one of the flagship areas for redevelopment in Manchester, containing a high proportion of residential usage.

I cannot speak for some of the other blocks of flats noted above, but I can confirm that none of the residents in the four Northwards Housing blocks on this site were informed of either the original licence application, or the variations now being proposed, as required by law. I spoke to Cllr Pat Carney a few weeks ago, and it was his view that this probably arose because the premises are in a different ward to where I live. Clearly no thought whatever given to the idea that noise can travel, especially at night. The only reason I became aware of this variation application was because I complained to Premises Licencing immediately following the events last year, and as a result was placed on a mailing list.

Speaking to some other residents, there is a consensus that licencing in Manchester is unduly lax. It seems to them that anything to promote Manchester's young and vibrant image is waved through with little regard for the consequences and only cursory



diligence. We are not "anti-fun"; indeed 25 years ago I might have been attending the premises as a paying customer. But I believe we have the right to enjoy our lives in peace in our own homes. Would you like something like this on your doorstep?

Other Nearby Residents - Objections

As I am the only person who knew about this application, I decided to place a notice in my block and the two nearby ones [REDACTED] to explain what the licence variation meant and to invite people to sign their objection. A further 24 objections received will follow on a further joint email after this one. Yes, I am slightly disappointed by the poor response, but I do not have the time to canvass door to door, and it seems not all residents bother to read the notice board. Several people have actually asked why I am bothering as "they won't listen, we don't matter". I have a little more faith in due process and trust that you will give our objections the consideration that they deserve.

Could you please advise how we will be informed of the outcome of the Council's decision?

Kind regards

[REDACTED]  
[REDACTED]

**IMPORTANT – Please read!**  
**RE: LOVE FACTORY / SUMMER OF LOVE**  
Warehouse 200 Dantzig St

Residents (especially those south facing) may remember the dreadful noise nuisance caused over several full weekends last year coming from this former warehouse premises where “raves” were operated from mid afternoon to after 11pm, Friday though to Sunday. Further disturbance arose from taxis being queued along Dalton Street into the early hours.

I have no idea how the original licence was approved, as although designated as industrial premises, it is now in an area that is predominantly residential, with thousands of people living within close proximity – we are just 2400 ft (0.45 miles) away.

The organisers have now applied to the Council for variations to the licence that, if granted, will make things a whole lot worse:

- 1. To be allowed to stay open later until 01:30am (alcohol served till 01:00)**
- 2. To remove the existing prohibition from amplified music being played in the outside area after 8pm (so potentially till 01:30am) !!!!**

It was bad enough last year, so we cannot allow this to happen, and indeed need to make representations to have the complete licence revoked, on the grounds of it being an unsuitably located venue. But in the meantime, we have until 25 May to submit objections to the specific licence variations.

I will co-ordinate a joint objection from all the residents that wish to participate. All you need to do is to add your name and address to the list below and sign, I will do the rest.

Alternatively if you wish to make your own objections direct to the Council please contact me and I will give you the information and format in which to do this.

**WE CAN STOP THIS IF ENOUGH PEOPLE SIGN!**

















**From:** [REDACTED]  
**Sent:** 23 May 2023 20:07  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Variation References 287630/HH1 and 287631/HH1; Love Factory, 200-204 Dantzic Street, M4 4DD

Dear Sirs

I am writing to object to the above licence variation applications being granted (Public nuisance, public safety, prevention of crime and disorder).

The main grounds for this objection is unacceptable noise levels from the event, already evident last year from the site's operation under the terms of its current licence (see below).

Secondly, there is a further nuisance from long lines of taxis pulling up on Dalton Street late at night, doors slamming, drunken people shouting, widespread littering.

### Detailed information

A number of events were staged last summer which started in the afternoon and finished at around 11-30pm each day from Friday to Sunday. I live [REDACTED] [REDACTED] which is 0.45 miles (2400ft), as the crow flies, from the premises. My lounge [REDACTED]; but music could still be plainly heard during the event. So much so I couldn't use my balcony because the windows were rattling with the boom-boom of the bass sound. I had to turn my computer and television volume up to be able to watch them and escape the hours of torture that ensued, yet still sound could be heard via the side windows, even with them closed.

[REDACTED], and there are two other identical blocks on this site, and a further one just on the other side of Rochdale Road. Most of these flats are occupied by long-term residents over 55 years of age, many considerably older, and some disabled. There are also the three "Suffragette Sisters" blocks of similar size even nearer to the venue, and housing along Dalton Street. However, to the other sides of the venue are the Tobacco Factory development, the entire huge Green Quarter site, the new developments at Meadow Side, and the upcoming new prestige apartments at Victoria Riverside (which are right next door to the venue itself!). **All in all, thousands of close residents within earshot are affected.**

The licence variations, if granted, will therefore make an existing problem a whole lot worse by virtue of later hours and playing of amplified music not just inside the venue, but outdoors as well.

The licence application states that "since the opening of the premises there have been no issues or complaints received regarding the operation". **This is simply untrue.** An examination of the records of the Council's Licensing and Out of Hours Team will reveal that [REDACTED] made a complaint one Saturday early evening last summer. The officer also informed me that some other complaints had been made. After a discussion, an officer was eventually sent out to the premises, thereafter the sound level reduced, but only for about an hour, after which it returned to the former level.

The licence application also states that "A sample noise report has been submitted with the application". I would argue that the Council should not accept this as supporting evidence as:

1. There is no guarantee or safeguard to ensure that the noise will actually be kept to those levels at the time of the events. DJ's are known to crank up volumes in response to their audiences' requests and responses.

2. The levels are meaningless if they are recorded on the site where they come from rather than in the locations where they are experienced by affected parties.

### **Council's Duty of Care**

Manchester City Council Licensing have failed in their Duty of Care to residents in allowing the original licence in the first place. Although the premises are located in an area that was once an industrial part of the city, it is now predominantly a residential area. It is in fact, one of the flagship areas for redevelopment in Manchester, containing a high proportion of residential usage.

I cannot speak for some of the other blocks of flats noted above, but I can confirm that none of the residents in the four Northwards Housing blocks on this site were informed of either the original licence application, or the variations now being proposed, as required by law. We spoke to Cllr Pat Carney a few weeks ago, and it was his view that this probably arose because the premises are in a different ward to where I live. Clearly no thought whatever given to the idea that noise can travel, especially at night. The only reason I became aware of this variation application was because I complained to Premises Licencing immediately following the events last year, and as a result was placed on a mailing list.

Speaking to some other residents, there is a consensus that licencing in Manchester is unduly lax. It seems to them that anything to promote Manchester's young and vibrant image is waved through with little regard for the consequences and only cursory diligence. We are not "anti-fun"; indeed 25 years ago I might have been attending the premises as a paying customer. But I believe we have the right to enjoy our lives in peace in our own homes. Would you like something like this on your doorstep?

Could you please advise how we will be informed of the outcome of the Council's decision?

Kind regards,

████████████████████  
██  
██

**From:** [REDACTED]  
**Sent:** 24 May 2023 17:21  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Licence Variation References 287630/HH1 and 287631/HH1; Love  
Factory, 200-204 Dantzic St, M4 4DD

Dear Sirs

I wish to object to the above licences. The noise last summer was bad enough without allowing later opening and music outside. It went on all weekend and only stopped after 11:30pm. This is a bad public nuisance for this area with so many people living close by, and should never have been licensed in the first place.

I knew nothing about this matter until I was informed by a neighbour who only got notice because he complained last year. Isn't the council supposed to write to people who may be affected? None of my other neighbours knew anything about this.

I hope for our sanity that this is not granted.

Thank you.

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



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

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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>Variation application 287630 proposes no conditions other than those on the existing licence.</p> <p>Variation application 287631 proposes removal of one condition and replacement with new conditions as below.</p> <p>Removal of a condition and replacement with new conditions.</p> <p>Condition requested to be removed (condition 9 Annex 2):</p> <p>Other than the event 'The Summer of Love Festival' there shall be no amplified music in the marquees or in any of the external licensed areas after 20:00 hours.</p> <p>Proposed new conditions:</p> <p>Addition to the end of Condition 7 of Annex 2 – A record shall be kept of all monitoring which takes place outside the boundary of the premises, including the date, time and location of monitoring; the name of the monitor, and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a Police Officer or an Authorised Officer of Manchester City Council.</p> <p>A qualified Sound Engineer will be on site prior to and during events to assist with the monitoring of noise levels and any subsequent action required.</p> <p>Members of staff will direct customers leaving the premises in a direction away from the nearest residential areas.</p>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
No conditions have been proposed by any objector for either application.		

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