

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPV 238235
Name of the Premises	ON Bar
Address of the premises including postcode	46 Canal Street, Manchester M1 3WD

Your Representation

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

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

The application is seeking to allow the premises to sell alcohol until 4am Sunday to Thursday and until 6am on Friday and Saturday, with 30 minutes until close, in an area where there is one of the highest concentrations of assaults and disorder within the City Centre. A significant number of officers who are deployed on the weekend policing operation Custodian are located in the Village area due to the issues that the area attracts and in the early hours a significant number of the calls made to the police relate to the premises in this area and the locality in general.

GMP are concerned that by allowing this premises to remain open so late, especially at weekends, will attract an unruly element to the premises and cause issues.

The applicant has not proposed any further measures to show how they will deal with this potential issue.

During a 12 month period from July 2018 to July 2019 there were 600 incidents of violence reported in the beat area where the premises are situated, 530 incidents of Anti-Social behaviour and 288 incidents attributed to alcohol. This shows what a challenging area the Village already is, in terms of incidents, and we are greatly concerned that by allowing the premises to extend their hours, we will see an increase in the number of these incidents in the vicinity of the premises.

During these times of reduced police numbers it is becoming more and more difficult to respond to the number of incidents relating to areas where there is a large concentration of licensed premises and by allowing these premises to extend their already late hours for even longer is almost certainly going to have an adverse effect in those areas.

GMP realise that there is no Cumulative Impact Policy in the Village and that the restraints of such a policy do not apply but we would ask that the committee take serious cognizance of the effect that the grant of these extremely late hours is having on the City Centre and the additional burden being placed on GMP.

We therefore ask that this application is refused.



Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	238235
Name of Premises	On Bar
Address	46 Canal Street, M1 3WD

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.

This is notification that the Licensing and Out-of-Hours team (LOOH) have assessed the application and the likely impact the granting of the licence variation would have on the local amenity. We have taken into account the nature of the area, surrounding licensed premises and local residential premises (both current and future).

The premises have applied to extend their terminal hour by 2 hours across weekdays and weekends; Sunday – Thursday to 4am and Friday – Saturday to 6am.

LOOH have given consideration to Manchester City Council's Statement of Licensing Policy, recent observations of the premises in which the application was made and considerations on how the applicant has proposed to promote all 4 of the Licensing Objectives. We are confident that approving the variation would seriously undermine the prevention of public nuisance objective and Manchester Standard (MS) MS8 – Prevent noise nuisance from the premises.

Visits have been made to the area immediately outside the premises to assess what provisions are currently in place in anticipation of the variation being granted.

On 11th October 2019 between 23:20 and 23:40 Licensing Out of Hours Officers (LOOH) observed a significant escape of noise in the vicinity around the premises. This level of noise would undoubtedly result in the premises undermining the Public Nuisance objective, particularly when the area becomes predominantly residential (expected early 2020). The main door

onto the external first floor balcony was held wide open. This was discussed with the Designated Premises Supervisor (DPS) during the Licensed Premises Inspection as was a cause for concern that the practice was continuing to be permitted. Both internal and external ground floor entrance was also secured open, adding to the escape of noise. It is expected that all windows and doors are closed post 23:00, save for ingress and egress. This was discussed with Mr Tony Cooper (DPS) on the night and immediately rectified. We are satisfied that this would not have been actioned without LOOH intervention.

A second visit took place on 12th October 2019.

The main ground floor entrance doors were held open with door supervisors clearly visible. There was a Drag DJ using an amplified microphone as well as pop music being played. Although this was pre- 23:00 the escape of noise was so excessive from the venue that the music and amplified voice of the DJ was clearly audible from outside Rembrandt Hotel, Sackville Street/Canal Street (approximately 71m away), This would undoubtedly undermine the public nuisance Objective due to the excessive levels witnessed. LOOH are satisfied that on both occasions the premises would have been undermining the public nuisance objective as well as not consistently promoting MS8 - Prevent noise nuisance from the premises.

A third visit took place on 18th October 2019 at approximately 23:25. During this visit LOOH requested the Door Supervisor SIA documentation. Neither of the two SIA personnel had signed in using the required documentation. This is a breach of **Annex 2 (s.6 (i, ii, iii))**.

LOOH noted that although doors and windows were closed, save for ingress and egress, the escape of noise at street level was still at a level as to distinguish the specific tracks being played. This strongly suggests that the escape of noise was both unreasonable and excessive. There is a very strong likelihood that how the premises is currently operating will cause a significant noise problem to new residents (16.8m from façade to façade) in early 2020.

Section 7.25 of the Statement of Licensing Policy states that due consideration will be given to the proximity from licensed premises to residential premises and the potential impact on any local resident will be an important matter for consideration.

LOOH have concerns that the granting of the variation would have a negative accumulative impact on local residents due to egress and dispersal times.

Considering neighbouring licensed premises, GAY are licensed for sale by retail of alcohol Sunday – Friday to 4am, Saturday to 8am. New Union Hotel are licensed for sale by retail of alcohol Monday – Sunday to 4am.

Should the variation be granted the cumulative impact, taking into consideration neighbouring licensed premises will cause a combined dispersal (midweek) at 4am and will cause a significant issue that has the capacity of undermining all 4 of the Licensing Objectives. This area of the City Centre currently has the highest numbers of reported crimes in the City. S.7.12 of the Policy states particular consideration will be given to the general character of the area, including ASB, crime and disorder and noise where there is evidence of pre-existing problems in the area. The Village currently has the highest reported numbers of crime in the City. S.7.14 of the policy also states that areas with a high density of licensed premises draw in a large crowd of legitimate users, a minority of whom may generate public nuisance, violence or disorder allowing illegitimate users to purposefully target the area to exploit various criminal opportunities. This has been clearly documented with young Somali male gangs targeting the area over the past 24 months.

The variation application has not at all detailed how these issues will be managed, stating *“the premises will continue to operate in accordance with existing policies and documents”* and does not acknowledge future residents, an accumulative impact of neighbouring premises or noise mitigation measures that will undoubtedly be required when the residential block opposite becomes occupied. S.7.26 of the policy notes that particular consideration will be given to measures proposed in the application to prevent nuisance, which none have been provided.

S.7.13 of the Policy states that the authority is mindful of the clustering of premises as simultaneous closing can lead to a large number of people leaving at the same time, increasing the risk of disorder and disturbances to local residents and creating spikes for transport and food premises.

LOOH are confident that approving this variation would seriously undermine the prevention of public nuisance objective and Manchester Standard (MS) MS8 – Prevent noise nuisance from the premises.

Recommendation:

Refuse Application