



Licensing & Out of Hours Compliance Team - Representation

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Premise Details

Application Ref No	REF M/244934
Name of Premises	TBC
Address	23 Shudehill, Manchester, M4 2AF

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 Out Of Hours Team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk the granting of this licence could lead to including issues of public nuisance and the protection of children from harm.

The premises is on ground floor level of 23 Shudehill in Manchester City centre, located opposite the Arndale Centre car park and rear of Shudehill bus/tram station. The premises is in close proximity to a number of nightclubs, bars, restaurants and takeaways on Withy Grove and close to The Printworks complex. Currently trading as a newsagent, the premise is located within a row of properties that contains both commercial and residential premises.

The applicant has applied to sell alcohol for consumption on the premises from 1700 hours to 2200 hours Sunday to Thursday and from 1700 hours to 0100 hours on a Friday and Saturday.

The hours the premises have applied to open are 1000 hours to 2200 Monday to Thursday and from 10.00 hours to 0100 hours on Friday and Saturday. Sunday from 1500 hours to 2200 hours

The applicant has described the premises is to trade as a sports and coffee bar, with the sale of alcohol for consumption on the premises. Despite the term 'coffee bar' featuring in the applicant's description of the premises, there has been no request for late night refreshment within the current application despite the proposal to trade until 01:00 hours on a Friday and Saturday night. Similarly, there has been no request for regulated entertainment to cover these hours within the application despite describing the premises as a 'sports bar'. Due to the application containing very little information about how the premises will run once trading or the type of sport that will be screened it is difficult to ascertain with any certainty if regulated entertainment should have been included on the licence. Given that both late night refreshment and regulated entertainment have been omitted from the application, it is felt that the granting of a licence for alcohol sales only could be deemed too restrictive for the

applicant and could lead to either intentional or unintentional licence breaches.

As mentioned, the applicant's description of the premise is too vague to allow for thorough assessment and it remains unclear whether the sports bar will be screening sports or providing sports games or both. Due to the scant information provided, it is also not clear what other services, if any, will be provided or the age group of customers the premises aims to attract. There is no mention of why alcohol sales won't commence until 17:00 hours nor does the application mention any of the logistics around the management of customers or the customers' likely expectations to be able to buy alcohol in a 'sports bar' before 5pm. Nor is there mention of what efforts will be made to protect children from harm during the 7 hours when the premises is proposing to trade but without the ability to serve or display alcohol on the premises.

In addition to the concerns LOOH have with the current application, our team received a complaint in July 2018 regarding underage sales occurring at the premises. LOOH officers visited the premises with Greater Manchester Police (GMP) on 26 July 2018 to investigate this complaint during which time officers observed people drinking alcohol on the premises whilst [REDACTED] was present. Whilst there was a considerable amount of alcohol stored on the premises in a back room, there was no evidence obtained at the time of alcohol sales taking place.

On viewing the premises history, LOOH have noted that the applicant [REDACTED] resides at the same address as [REDACTED] (The registered liable person on business rates for this premises) who has had two previous Premises Licence Applications for this premises refused at committee on 16 February 2016 and 28 February 2017 and withdrew a third application on 26 April 2018 following representations being made. During the assessment of the latter two applications LOOH officers had observed people drinking alcohol on the premises without a premise licence being in place and records show that interactions with [REDACTED] at that time led to officers concluding that [REDACTED] lacked even a basic understanding of the Licencing Act. Given that [REDACTED] is still classed as the 'Lead Liable' on the Council's Business Rates account, a fourth application now being submitted but this time in someone else's name raises further concerns. It is worth noting that a contact number for [REDACTED] was not included in the application form and therefore we have been unable to ascertain any further information from the applicant to verify their role and/or connection to the premises.

The LOOH team also has concerns that the grant of this application is likely to lead to issues of public nuisance to nearby residents. These concerns are specifically that the grant of this licence is likely to lead to problems with noise from patrons smoking outside the premises, creating obstruction to the public highway and generating increased litter.

A final concern with the application is that a 'drinking up' period between the last sale of alcohol and the premises closing has not been considered. It is felt that this could lead to patrons drinking quicker to finish their drinks leading to increased intoxication. The applicant's operating schedule offers limited details

Recommendation:

Refuse Application