

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Helene	Corlett	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Helene.corlett@manchester.gov.uk	07976 226451	
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
The Loft
Address of the Premises (including postcode if known):
1 New Street, Miles Platting, Manchester M40 8AB

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The application is short on detail on what procedures the premises will implement to prevent underage sales of alcohol and thereby promoting the licensing objective of the protection of children from harm. Therefore we would like the following conditions attached to the licence should it be granted:</p> <ol style="list-style-type: none"> 1. That when operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is

also acceptable ID and also that the PASS card must bear a hologram.

2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.
4. All staff authorised to sell alcohol shall be trained in:
 - The prevention of underage sales of alcohol
 - The prevention of proxy purchases of alcohol
 - Maintenance of the refusals log
 - Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate
 - How to refuse service
5. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee. Documented records of training completed shall be kept for each member of staff. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

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

From: **Helene Corlett** <helene.corlett@manchester.gov.uk>
Date: Tue, 1 Sep 2020 at 15:11
Subject: Fwd: The Loft, 1 New Street, Miles Platting, Manchester M40 8AB
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Patrick

The email below addresses my concerns. I've not copied in the applicant's representative as I wasn't sure if licensing do that at Manchester CC.

Kind regards

Helene

----- Forwarded message -----

From: **Stephanie Williams** <[REDACTED]>
Date: Tue, 1 Sep 2020 at 14:30
Subject: The Loft, 1 New Street, Miles Platting, Manchester M40 8AB
To: helene.corlett@manchester.gov.uk <helene.corlett@manchester.gov.uk>
Cc: Premises Licensing
<premises.licensing@manchester.gov.uk>, [REDACTED] <[REDACTED]>
[REDACTED]>

Further to your Representation in respect of the above matter, I can confirm that the Applicant is in agreement with the 5 additional requested Conditions as set out below:-

1. That when operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is also acceptable ID and also that the PASS card must bear a hologram.
2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.
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 - How to refuse service
5. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee. Documented records of training completed shall be kept for each member of staff. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

I would be grateful if you would confirm that this now satisfies your concerns.

Kind regards,

Stephanie

Stephanie Williams
(Practice Manager)

Tel: [REDACTED] (Option 2)
Fax: [REDACTED]

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.	LPA 248975
Name of the Premises	The Loft
Address of the premises including postcode	1 New Street, Manchester M40 8AW

Your Representation

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

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

The premises are situated in close proximity to residential properties on New Street and Canada Street and GMP are concerned that the lateness of the hours requested will almost certainly cause a noise disturbance to those persons who reside close to the premises. The proposed weekend hours in particular are more in keeping with a City centre nightclub with the 5 am closing time and the proposal to allow the premises to remain open until 12 noon on 12 occasions a year is particularly concerning as it will potentially cause round the clock disruption to persons living nearby.

Manchester City Council's own licensing policy states:

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.

7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:

- Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise
- Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy)
- Prevention of disturbance by people outside the premises (eg. smoking areas)
- Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)

— Disturbance caused by deliveries associated with licensable activities, including waste collection.

7.27 The leisure and night-time economy can be an important contributor to an area's appeal to work, live or visit there. However, each of our neighbourhoods is different to each other and services need to be flexible to meet these different needs. For example, while doorstep access to a thriving late-night-time economy appeals to many living and working in the city centre, it will not be acceptable to those in other areas of the city.

7.28 Where its discretion is engaged, the licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives. While it is recognised that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided, the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives, subject to relevant representations being made in relation to the hours applied for, should the licensing authority deem this appropriate and proportionate following a hearing.

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

7.30 Applicants are strongly encouraged only to apply for hours that they realistically intend to operate, as later hours are typically more likely to attract objections.

7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

7.32 Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

7.33 Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence. In mixed-use environments, such as the city centre, noisier impacts are not always derived from actions of a small number of excessively antisocial individuals but can also come from large numbers of people going about the business of having a good time. While such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.

7.34 Where noise nuisances can be clearly identified as arising from the activities of customers of a specific licensed premises, or there is risk identified upon application of such nuisance occurring, where its discretion is engaged, the licensing authority may reduce the trading hours of licensed premises on the grounds of their noise impact if it is determined that the licensing objectives will be undermined. Where objections are made to the lateness of the terminal hour, it would be appropriate for an applicant to engage with local residents and other parties to try to address the issues raised. The licensing authority would strongly encourage applicants to engage proactively prior to the making of an application and as appropriate when an application is pending.

7.35 Where its discretion is engaged, the licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours, and each application will be considered on its individual merits.

We therefore ask that this application is refused.

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Licensing & Out of Hours Compliance Team - Representation	
Name	Devon Bennett
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	devon.bennett@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details	
Application Ref No	248975
Name of Premises	The Loft
Address	1 New Street, Manchester, M40 8AW

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.
<p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the late night premises known as The Loft, 1 New Street, Manchester M40 8AW taking into account a number of factors. This includes the location of nearby residential properties, the hours applied for, Manchester City Council's statement of licensing policy 2016-2021, and any potential risk of the granting of this licence, that could lead to the undermining of the licensing objectives.</p> <p>The premises is located on New Street which runs adjacent to Oldham Road which is a main arterial route in and out of the city centre. The location of the premises is close to residential streets and industrial businesses in the neighbourhood ward of Miles Platting and Newton Heath.</p> <p>The LOOHT have also given consideration to Manchester City Council's Statement of Licensing Policy 2016 - 2021, specifically:</p> <p>7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.</p> <p>7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:</p> <ul style="list-style-type: none"> – Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise – Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy) – Prevention of disturbance by people outside the premises (eg. smoking areas) – Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises) – Disturbance caused by deliveries associated with licensable activities, including waste collection. <p>7.27 The leisure and night-time economy can be an important contributor to an area's appeal to work, live or visit there. However, each of our neighbourhoods is different to each other and services need to be flexible to meet these different needs. For example, while doorstep access to a thriving late-night-time economy appeals to many living and working in the city centre, it will not be acceptable to those in other areas of the city.</p> <p>7.28 Where its discretion is engaged, the licensing authority will give consideration to the</p>

appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives. While it is recognised that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided, the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives, subject to relevant representations being made in relation to the hours applied for, should the licensing authority deem this appropriate and proportionate following a hearing.

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7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

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7.33 Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence. In mixed-use environments, such as the city centre, noisier impacts are not always derived from actions of a small number of excessively antisocial individuals but can also come from large numbers of people going about the business of having a good time. While such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.

7.34 Where noise nuisances can be clearly identified as arising from the activities of customers of a specific licensed premises, or there is risk identified upon application of such nuisance occurring, where its discretion is engaged, the licensing authority may reduce the trading hours of licensed premises on the grounds of their noise impact if it is determined that the licensing objectives will be undermined. Where objections are made to the lateness of the terminal hour, it would be appropriate for an applicant to engage with local residents and other parties to try to address the issues raised. The licensing authority would strongly encourage applicants to engage proactively prior to the making of an application and as appropriate when an application is pending.

Giving consideration to Section 7.25 and 7.26. The premises is located less than 100m to the nearest residential street, Canada Street. Therefore it is likely that customers arriving to the premises, queuing to enter, and smokers could cause nuisance to local residents in a neighbourhood ward of the city. The premises appears to be a warehouse unit. The application and plans show no additional noise attenuation apart from a two door system at the entrance, which is for entry and exit and so it is likely they will both be open at the same time allowing for music to escape from the premises and cause nuisance to local residents. The premises is also located in an area with a Royal Mail Distribution office and a heavy haulage firm. Being located closely to both businesses, which have multiple vehicles including heavy good vehicles it is likely that the vehicles will need to use the road at the same time as dispersal of the premises. Which could result in intoxicated customers mixing with large vehicles in the road and frustrations which taxis blocking the road that businesses still need to use. This could lead to not only public safety issues but the use of horns and raised voices giving rise to public nuisance.

In Sections 7.27, 7.28, and 7.29 of the policy. Direction is given to consider the suitability of a late night venue within areas of the city which are not the city centre. The application is for a late night premises in an area which was regenerated in 2015 to support some of Manchester's most vulnerable veterans. The premises locality to Canada Street where the project has been since 2015 could give rise to public nuisance through activities associated with a nightclub such as noise from customers and taxis suggesting that this premises would not be suitable in an area of supported residential housing.

Giving consideration to the points raised within sections 7.31, 7.32, 7.33, and 7.34. As per the attached map images it is clear that the premises is located close to a residential area. However, consideration must also be given to the impact of other nearby residents when customers leave the premises late at night. Especially in a neighbourhood ward of the city. Upon dispersal of the premises post midnight. The local transport is reduced. According to TFGM timetables buses in both directions on Oldham Road and Hulme Hall Lane show there are no buses from midnight until 04:42. There would also be no trams from the nearest tram stop which is Monsal from midnight until 06:30. Therefore the hours proposed mid week would mean customers would solely rely on taxi services to disperse the area, which could allow for heavy traffic in an area which would normally be much quieter due to the area being a residential neighbourhood. However, consideration is also given to the Friday and Saturday terminal hour which is proposed as 05:00am. Those customers who would utilise public transport would have to use the Oldham Road bus stop which is less than 100m to a large residential flat block and multiple residential houses, or the use of the metrolink which is 0.6 miles walk away. Customers would have to wait till 06:30 for the first tram and would have to walk through a heavily residential housing estate. LOOHT fear both public transport links would allow for groups to congregate giving rise to public nuisance to local residents both at the bus stop on Oldham Road/ Hulme Hall Lane and the Tram Stop in Monsall. During the weekend hours, again New Street would become filled with Taxis collecting customers. New Street is not a main road and so it is likely taxis that park will cause obstruction waiting for collection and exacerbate the noise from customers and car engines for local residents on Canada Street.

Section M of the application allows the applicant to state how they propose to uphold and promote the licensing objectives. LOOHT have given consideration to the conditions offered to mitigate the concerns raised from the Licensing Policy Sections. However, the LOOHT feel the conditions offered along side the hours applied for will not uphold or promote the licensing objectives. It is likely that the granting of this application will give rise to public nuisance for local residents

With regards to the Licensing Policy and the application submitted. The Licensing and Out of Hours Team ask that the application is refused.

Recommendation: Refuse Application

Map DB01 - Locality to Local Residents and Businesses



Map DB02 - Locality of Bus Stop to Local Residents



Map DB03 - Locality of Tram Stop from the Venue and Locality of Local Residents

