

Statement of FRANKIE FABOWALE:

1. I am the club manager and DPS at History nightclub, Longworth St, Manchester.
2. I have been the manager of the club since it opened in July 2017, just over 4 years ago.
3. I am an experienced DPS and before working at History, I was the bar manager at Liv, a nightclub on Peter St and prior to that I worked as a bar manager in the Northern Quarter.
4. The Premises Licence holder is Laila Leisure Limited. Mohammed Mohamud ("Mo") is a director of this company, who also works with me at the club.
5. We employ 34 staff members at the club and up to 12 SIA registered door supervisors.
6. History nightclub is located on the top two floors of Milton Hall, a historic building on Deansgate. History is accessed from the rear of Milton Hall, down Longworth Street, which is off St John's Street. Longworth Street becomes Artillery Street at the corner by El Rincon and then runs down to Byron Street.
7. Within the same building as History (Milton Hall) is Chinawhite, another high-end nightclub, which is located on the ground floor of Milton Hall. Chinawhite is slightly smaller than History in terms of capacity. Its trading hours are similar to ours.
8. There are therefore 2 nightclubs within the same building, with around 800 people leaving the area at a similar time of the morning. Chinawhite's customers access and leave the club from the Deansgate side, whilst History's customers access and exit from the rear of the same building onto Longworth Street. Longworth Street is a non-residential street.
9. The club's licence has never previously been reviewed. We have never been served with any noise abatement notice by Manchester City Council.

However, it's clear from the Neighbourhood Compliance Officer's (Steve Harrison) evidence that we have had a few compliance issues (particularly in relation to door supervisors) since the club opened, but we have always dealt with issues raised and they have not resulted in any enforcement action.

10. Prior to Covid closures, History had been trading successfully and without incident for almost 3 years.
11. As a result of the Covid pandemic, History was closed for a period of 18 months between 19th March 2020 and 20th July 2021.
12. Since nightclubs were permitted to reopen in July 2020, History has been particularly busy, with people wanting to return to clubbing after long periods stuck at home.
13. Our Premises Licence permits us to open seven days a week until 06.30. The club generally opens on only three nights a week, Tuesdays, Fridays and Saturdays. On Tuesdays we run a student night and generally have around 400 people attending. The club opens at 23:00 and closes at 03:00. We usually have 9 x SIA door supervisors employed at the club on Tuesdays. We also open most Friday nights, when we run different promoted events and the club closes by 04:30. Saturdays are our busiest nights, when we get an older "high end" local crowd in. We generally expect to be at capacity, with around 450 people attending. On Saturdays the club normally closes around 06:00-06:30. On Saturdays we usually employ between 9 and 12 SIA door supervisors, as this is our busiest night.
14. I would describe History as a "high-end" nightclub. Steve Harrison is correct to say that (much like Chinawhite), History is sometimes frequented by celebrities and football players. However, the majority of our customers are just normal local people looking for a safe and entertaining night out. They want to let their hair down and after 18 months without clubbing, we can provide that environment. Saturday nights cater for a middle-aged affluent crowd and drinks have a high price point.

15. It has been suggested by a resident that our social media account glamorises gangsters and violence and that we have used photos of gang related artists at our club social media accounts. This includes allegations that gun culture is promoted due to use of a gun hand sign. I would point out that these individuals have songs in the charts and have often appeared at the AO Arena (formerly MEN Arena) before visiting History. Just because they are black artists and dress/behave in a manner which is associated with gangs, does not mean that they are gangsters. History does not promote gang culture or gang violence and we have never had any complaint from GMP about gangs or gangsters frequenting our club. Nor have we ever been asked to exclude individuals or to revise our door policy. There has never been any gang related incident inside History nightclub.
16. Some of our customers are categorised as “VIPs” who usually book booth tables around the dancefloor. It’s correct to say that we sell full spirits bottles and mixers to customers who book booth seats. This is completely legal and is a common occurrence in high-end nightclubs. We have table staff monitoring booths at all times and it is a condition of our licence that waiters/waitresses must be employed to serve drinks to booth tables. It is also a condition of our licence that spirit, champagne or wine bottles must be secured to a table/ice bucket or held within a cradle. This condition was agreed with GMP when the History licence application was submitted and is a common procedure at other high-end bars and nightclubs, where full bottles of drinks are served. This condition prevents a loose bottle being used as a weapon if a fight were to break out. We comply with this condition by securing bottles with a metal neck and chain to the ice bucket on booth tables (or in cradles).
17. Entry to the club is strictly controlled by our door team and as a result, often slow, due to procedures we follow to prevent crime and to protect the public. Some of these procedures are part of our licence conditions and others we voluntarily use to prevent and deter undesirables from entering the club.
18. Queues are controlled with a barrier placed along Longworth Street to channel customers waiting to enter. Sometimes this queue can stretch

onto St John Street, due to the number of customers waiting to be “wanded” (using metal detector wands) and scanned on entering the club.

19. At the front door, all customers are “wanded”. Bags and pockets are searched for metal objects and/or drugs. Any customer found with any illegal item is denied entry to the club and reported to the police.
20. Customers then pass through to the first staircase landing, where they must have their ID scanned by our ID Scan machine. This is a condition of our licence and customers are told that the front door that they must have their passport or driving licence scanned to gain entry to the club. These details are then recorded by the ID Scan machine and made available to the police if requested. Once customers are past the ID Scan machine, they then move up 2 flights of stairs to the main club and dancefloor.
21. Once inside the club, we have a very good security presence, with SIA registered door supervisors monitoring the dancefloor at all times.
22. We have had very few incidents at the club and rarely have we had to request police attendance since we opened in 2017. There has never been a serious incidence inside the club and GMP has not provided us with any details of crime or disorder inside the club prior to September 2021.
23. However, two recent serious incidents at the club on 12th and 19th September 2021 led to GMP commenced a summary review of our Premises Licence, following concerns about crime and disorder.
24. I was working at History on both of these dates. The GMP summary review paperwork and that of Steve Harrison, the Council’s Neighbourhood Compliance Officer refer to these two incidents and my comments in response to these are as follows:

INCIDENT ON SUNDAY 12th SEPTEMBER 2021

25. This was a normal Saturday night at History, which had passed without incident until closing time.
26. We had a total of 9 SIA registered door supervisors on duty. A copy of the doorstaff signing in book for the night is shown at Exhibit FF1.
27. I have reviewed the club CCTV footage to establish how this incident started. Towards the end of the night, the lights were turned up in the club, to tell customers that it was time to go home. The CCTV footage shows an individual approaching another male by the dancefloor and banging into him. There was no fighting in the venue. Our security staff got to this individual quickly and he was escorted out of the club. He then left the front door area but returned shortly afterwards and got into a dispute with our doorman [REDACTED], who was stabbed in the back whilst trying to get the situation under control. We called the police who came and arrested this individual. Thankfully, the doorman was not seriously injured.
28. Concerns have been raised about how this individual had a knife in his possession. As the DPS, I also had serious concerns about the incident and any suggestion that customers are allowed to enter History with weapons. We certainly do not knowingly allow any customer to enter with a weapon. I am confident that this individual would have been “wanded” by the doorstaff for any weapon on entering the club. However, I have to accept that “wanding” is not 100% effective, as it does not always alert doormen to weapons concealed in footwear etc. I am not sure whether this individual brought a knife into the club or collected it from outside. It is possible that the individual went back to a vehicle to get the weapon, as he left the club and then returned to the entrance to challenge the doorman who had ejected him.
29. I am confident that our search procedures at History are effective to deter and prevent entry with weapons. However, as I explain later in this statement, in light of these incidents, I consider that use of a metal detector arch would act as a better deterrent and would improve detection of any weapons being brought into the club.

INCIDENT ON SUNDAY 19th SEPTEMBER 2021

30.This was again a normal Saturday night.

31.We had 8 SIA registered door supervisors on duty. Their names, SIA badge numbers and times they came on duty are shown in our door supervisor log at Exhibit FF1.

32.We were not expecting any trouble at the club that night, although we found out afterwards that a mixed martial arts (MMA) event had taken place earlier that night at the University of Bolton Stadium and that opposing fans from London and Birmingham were intent on causing trouble at licensed premises in Manchester afterwards.

33.People from the same groups were involved in disorder that night at Cirque on Deansgate and we understand they also tried to rush the doors at Chinawhite and other clubs in town.

34.At around 01:00, a group of around 20-25 males approached the entry barrier adjacent to the queue. At History we have a policy that male groups of more than 6 are not permitted to enter the club. One of this group approached a doorman, who politely told him that his group would not be allowed entry. At this point the male signalled to the rest of the group, who pushed over the crowd control barriers and “rushed” the door. These males gained unauthorised access to the club and were obviously not “wanded” by the door supervisors nor did they provide ID at the ID Scan terminal.

35.Our doorstaff immediately called the police. As there were officers already present nearby on St John Street, the police attended very quickly to help restore order. We are very grateful for this assistance. However, it’s clear from the CCTV footage that members of this group continued to push past the GMP officers, who were also unable to prevent the unauthorised access.

36.The GMP paperwork states that there were insufficient numbers of doorstaff on duty to suitably control entry of persons into the premises.

Of the 8 door supervisors who were on duty at the club at that time, 3 were stationed on the front door and were supervising the queue and barriers. This was in addition to our VIP manager and a host. The other 5 door supervisors were on duty inside the club. It is clear from the CCTV footage that any large group of individuals rushing the door could not have been prevented from doing so, unless there was a similar number of doorstaff on duty. It's therefore unrealistic to say that a few more doorstaff would have prevented this incident from happening. Where a large group is intent on gaining unauthorised access to a club, they will do so.

37. An accepted ratio of door staff to customers is 1:100, so with 450 customers, 8 door supervisors should have been sufficient to control entry to the club. However, I now accept that 8 x SIA doorstaff were insufficient for a busy Saturday night at History. Our licence does not specify door supervisor numbers, but I agree that numbers were too low on this night. Bearing in mind the club door has not been rushed since we opened in 2017, we did not anticipate this incident. With hindsight we should have had more door supervisors on duty on the night.
38. The reason there were only 8 door supervisors on duty is because it is very difficult to find door supervisors at the current time, due to a combination of Brexit and Covid. On this night, our door company Securios, did not have any more door staff available.
39. Both the GMP and Neighbourhood Compliance Officer state that our door supervisors were not wearing high visibility outerwear, or that SIA licences were not on display when this incident happened. I take full responsibility for this and accept that it is a condition of our Premises Licence that "doorstaff shall wear some form of high visibility outer wear". I accept that Steve Harrison previously warned us about this issue in a letter dated 5th February 2019, some 18 months earlier. This warning was just before we closed due to Covid. As can be seen in the CCTV footage, some of our doormen were wearing black security vests with luminous/high visibility strips. Having viewed the footage, I accept that it is very difficult to distinguish security staff from other employees and customers. I accept our door supervisors not wearing hi-vis clothing was

a breach of our licence condition. I also accept that some of our door supervisors were in breach of their own licence conditions by not displaying their SIA badges. This is an error that I take full responsibility for this as the DPS of the club. This should not have happened. For some reason, a number of the doorstaff on duty that night did not bring their hi-vis vests to work with them. Following police attendance at the initial incident, I asked for more high visibility vests to be brought over to the club and doorstaff can be seen wearing these in the later footage.

40. Steve Harrison's representation states that between 01:00 and 01:21 the front barrier area was left completely unattended. It is accepted that at this time, alongside GMP, all of the security team were inside the club trying to eject the group who had rushed the doors. Whilst the barriers remained attended by the VIP manager, club host and other staff members, the doorstaff were inside the club. However, the club door and staircase were supervised during this time and no further entry was permitted.

41. As far as we were able to, the group who had rushed the door were ejected from the club with the assistance of the police. However, around 04:00 a male can be seen on the CCTV pulling a spirit bottle from its tether and trying to use it as a weapon. Another individual is seen brandishing a metal barrier pole. We believe that these individuals were from the group who had rushed the door earlier in the night. Doorstaff monitoring the dancefloor immediately went to deal with this disorder and removed the pole and bottle from these individuals. They were then escorted outside and the police were called. These individuals were suspected to be in possession of weapons and were searched by our doorstaff. Two knives were confiscated by our doormen and handed over to GMP.

42. Whilst I accept that these individuals had been inside History with knives, I am confident that the knives were not brought in by customers passing through our normal security procedures, as the knives should have been picked up by wandling. Individuals who rushed the door were clearly not wanded or had their ID scanned. In the future, we have proposed use of a knife arch to deter and prevent customers in possession of weapons entering History.

43. I intend to deal with allegations that individuals were being employed in a security capacity at the club when they did not hold a SIA licence at the review hearing.
44. I have seen video footage from GMP showing that the door supervisors were uncooperative with the police after the incident and would not provide their SIA badge details. As the DPS, I was not asked by the police to provide our door supervisor log, which clearly showed the name and badge number of each door supervisor working that night. It was totally unacceptable for our door team to be uncooperative in this way and we have lost all faith in Securios as a door company. We are proposing as part of our action plan to replace the door company, in light of these issues. Had I been asked by the police to provide door staff details on the night, I would have done so from the doorstaff log.
45. Whilst I accept that possession of knives and weapons is a very serious matter and that the police must take action to ensure public safety, I do expect the GMP response to be consistent for all nightclubs where knife crime takes place. I do not believe that this is the case in Manchester. A recent example being a recent double stabbing that took place inside the Warehouse Project at Mayfield Depot.
46. The Warehouse Project is a club event promoted and part owned by Manchester Night Time Economy Adviser for Greater Manchester, Sacha Lord. On Sunday 3rd October 2021, the MEN reports that two men aged 20 and 21 were rushed to hospital after suffering stab wounds at the city centre club¹. A GMP spokesman said there was an altercation in the club before the double stabbing.² On Saturday 25th September 2021, the MEN reported that a 20-year-old man died after falling ill at the Warehouse Project³. Police officers who were patrolling the club found a man who was unwell and later died. Four individuals were arrested on suspicion of drug offences.

¹ <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/warehouse-depot-stabbing-manchester-police-21760591>

² <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/warehouse-project-double-stabbing-police-21796491>

³ <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/man-20-dies-after-falling-21677021>

47.It is my understanding that the Warehouse Project pays for private policing of its venue by GMP officers.

48.To my knowledge there has been no summary review application submitted by GMP in relation to the Warehouse Project/Mayfield Depot licence.

49.I would ask the Sub-Committee to read these press reports and the public comments, to establish why there is an inconsistent approach to knife crime inside licensed venues in Manchester.

50.We have been told that GMP will ask the Committee to revoke the History licence as a result of a stabbing outside the venue, when a double stabbing inside the Warehouse Project has not resulted in any licence review. This does not appear to be a consistent approach and I question the motives behind it.

DISTURBANCE TO RESIDENTS FROM MUSIC NOISE

51.I am aware that a number of residents have complained about being disturbed by music coming from History nightclub. I will deal with music noise from cars in the area as a separate issue.

52.Steve Harrison refers to complaints in 2019 to the LOOH Team where monitoring visits did not obtain sufficient evidence of a statutory noise nuisance. If a nuisance is established the Council is under a legal duty to serve a noise abatement notice. History has never been served with any noise abatement notice.

53.I have previously undertaken noise monitoring in the street outside to ensure that the music levels from History are not causing a nuisance to nearby residential properties. Steve Harrison has seen these noise logs in the past and has been satisfied with them.

54.Steve Harrison also refers to more recent complaints made by residents of The Residence building, which is right next door to the club on St John Street. The representation includes a noise diary completed by [REDACTED]

[REDACTED] H [REDACTED]

██████████, also complains about music noise and ██████████
██████████ on 16th February 2020, just before the Covid shutdown. This refers to “almost continuous thudding of a bass music beat.....enough to stop someone falling asleep””Music noise, a bass thud, could be heard in apartment X. It was not clear whether this was from History or from Chinawhite”.

55.I accept that our licence contains conditions to prevent disturbance to nearby residents from music at the club and I accept that our music should not be at a level where it causes a nuisance.

56.Since History opened in 2017, the surrounding area has changed significantly. In 2017, St John Street was occupied by consulting rooms, barristers’ chambers and other commercial uses. However, it has now become far more of a residential area. ██████████
██████████ a fourth house on St John Street is just about to be occupied by residents. In addition, St John Street Chambers (now called “The Residence”) which is on the corner of St John Street and Longworth Street (right next to the club) was converted into residential apartments just before the pandemic.

57.I have attached (Exhibit FF2) a copy of the planning consent and conditions relating to The Residence development. Condition 3 of this planning consent for The Residence states that the development must incorporate a sound insulation scheme to take account of entertainment noise in the area and that a verification report and post completion testing is required before the residential units are occupied. In planning terms this is known as the agent of change principle, which requires a new use coming into an area to implement measures to prevent disturbance from existing uses nearby. This is to prevent residents moving into an area with pre-existing noise levels and then complaining about it being noisy.

58.I would ask the Council planning and environmental health departments to check whether this planning condition has actually been complied with by the developer of The Residence and whether the sound testing required by the planning condition has actually taken place. It would appear that the new apartments in the Residence, which are right next

door to History, have not been acoustically insulated as required by the planning condition, to prevent disturbance from our pre-existing entertainment use.

59. This is not to say we can play music as loud as we like. At History we have a noise limiter on our sound systems and the nightclub was constructed in 2017 to be acoustically insulated to prevent sound leakage and disturbance from music. However, the music has been the same volume since the club opened in 2017. Prior to The Residence being occupied by residents, we did not get any complaints about our music noise.
60. In addition to the redevelopment of The Residence, in August 2021, the City Council has just granted planning permission (see Exhibit FF3) for redevelopment of a site directly opposite the club on Longworth Street from offices to residential. This planning permission approves two four bed dwellings directly across the street from our nightclub. Longworth Street has always been a back alley, with no residential occupiers. These new residential properties will literally be outside the front door of a nightclub. This planning consent requires the properties to be acoustically insulated from noise from roads and railway lines, but not from a pre-existing nightclub. I do not see how we can continue to operate as a nightclub if more and more residential development is approved by the Council right on our doorstep.
61. We are now in a position where History is surrounded by new and proposed residential properties, whose residents are likely to complain that there is a nightclub nearby. Granting further planning permission for residential developments close by to the club does not appear to take account of our pre-existing operation as a late-night venue.
62. This does not mean that I accept music noise from History should cause a nuisance to longstanding residents in the area. There have been residential developments in this area (such as at St Johns Gardens) for a long time before there was ever a nightclub in Milton House. However, these residents have only raised concerns about noise and anti-social behaviour from people congregating and dispersing and from cars parked

playing music, but not about music noise from the venue itself. I will deal with those issues below.

63. It should also be noted that Chinawhite operates on the ground floor of Milton Hall and its rear fire escape doors open out onto our entrance foyer. It is therefore difficult to differentiate between the music coming from Chinawhite and the music coming from History. As Councillor Davies states in her representation, it should therefore not be presumed that music noise and bass thud heard in The Residence is coming from History.

64. We intend to work with the developer of The Residence to ensure that its planning conditions have been complied with to ensure that the apartments in the building are acoustically insulated to prevent disturbance from music noise, which was a condition of the planning consent.

COMPLAINTS FROM NEARBY RESIDENTS ABOUT NOISE FROM QUEUING, DISPERSAL, PARKING, MUSIC FROM CARS, RUBBISH, DRUGS ETC

65. I have read the other issues that have been raised by residents of nearby properties, including residents on St John's Street, St John's Gardens, Porchfield Square and Byron Street and I totally understand the anguish and concerns of local residents.

66. It is understandable that after having tranquillity in the city centre during 18 months of Covid closures, re-opening of nightclubs and other leisure venues would bring noticeable changes to the area. However, I accept that some residents state that the situation is worse than it was before lockdown.

67. First of all, I have to make it clear that this situation is unacceptable and residents should not have to put up with these issues. However, History is not the only late-night venue in the area. Because History customers exit onto St John Street, we tend to get blamed for everything that happens on St John Street in the early hours of the morning. However, many people leaving Chinawhite onto Deansgate disperse down St John Street. The area is also busy with other customers leaving clubs and bars in the city centre.

68. St John Street does not have any parking restrictions at that time of the morning and it is a convenient pickup point for taxis and individuals collecting clubbers. In the past this would not have caused too much disturbance, but as the street becomes more residential in nature, I accept that it is more of a problem.

69. I will try to respond to each of the issues raised by residential objectors:

70. DISTURBANCE WHEN QUEUING (INCLUDING SITTING ON STEPS OF THE RESIDENCE) – I accept that our current queuing procedures are no longer appropriate, given the change of use of the building next door (The Residence) to residential use. As I have already explained, we need to get 450 customers inside the venue on busy nights and searching bags, wandling customers for concealed weapons and scanning ID takes time, which leads to a queue forming. This queue has in the past been controlled onto St John Street and up towards Deansgate. I accept that the queue has sometimes blocked the entrance to The Residence on busy nights. Our door supervisors patrol the queue, but it is difficult to monitor everybody. If customers in the queue have been pressing apartment buzzers, then I can only apologise for this. It would be possible for us to queue customers in the opposite direction i.e. away from St John Street along Longworth Street. We have included this proposal as a suggested action plan and licence condition as shown at Exhibit FF4. We have also proposed an earlier closing time for the club and a last entry time of 02:00 to prevent queues from forming after that time. We are confident that queuing customers away from The Residence and St John Street, in combination with the other proposals, will resolve these issues.

71. DISTURBANCE AT CLOSING TIME/DISPERSAL – it is a condition of our current licence that our door supervisors must be positioned at the junction of Longworth Street and St John Street and must ensure dispersal of customers towards Deansgate. We accept that this has not always been handled adequately in the past and that customers have been allowed to congregate outside The Residence, causing a disturbance and/or to leave or return along St John Street. Whilst we can instruct our doorstaff to encourage customers to disperse, it is often difficult to persuade customers who have had a drink to leave the area. We have

therefore proposed at Exhibit FF4 that customers must exit away from St John Street towards Artillery Street, which is a non-residential street. We have also proposed an earlier closing time for the club of 04:30.

72. PARKING UP/MUSIC FROM PARKED CARS – I accept that people parking cars on St John Street and playing loud music can be very disturbing to residents. These people are generally not History customers but may be drawn to the activity in the area, as History and Chinawhite close and customers disperse. We do try to prevent this happening by asking our door supervisors to stop people parking up in the street immediately outside. However, St John Street does not have any parking restrictions at that time of the morning and it is a convenient place to park and for Uber drivers to pick up passengers. In the past this would not have caused too much disturbance, but as the street becomes more residential in nature, I accept that it is more of a problem. We have on a number of occasions asked GMP and the Council to assist us dealing with anti-social playing of music, beeping horns and revving engines on St John Street. This has had limited success. We have suggested that St John Street should be closed to general traffic in the evening to prevent this activity, but that would be an issue for the Council to resolve. We have been advised by GMP and the Council that our door supervisors should not patrol outside the area covered by our CCTV cameras. Therefore, whilst we can attempt to deal with music from cars at the History end of St John Street, we have limited ability to deal with this further down the street. Enforcement of traffic regulations and parking restrictions would have to be an issue for the Council and GMP. This is not to say we are ignoring the issue, but these issues are not really something it is within our power to control.

73. NOISE FROM CARS DRIVING DOWN ST JOHN STREET – Again I sympathise with the residents, but I can't really see how we can prevent cars driving down St John Street. This traffic is not all related to History and we certainly do not encourage customers or their friends to come to the club in cars, or to park up outside. Our doorstaff move cars on if they park up near the club entrance. Controlling traffic and enforcement of parking restrictions on St John Street would have to be an issue for the Council and GMP to resolve.

74.DRUG DEALING – some of the representations refer to dealing of drugs on St John Street and suggest that this is related to History. Phone footage shows an alleged drug deal from a Mercedes G Wagen at the Byrom Street end of St John Street. At History, we have a zero-tolerance policy towards drugs and we search bags for drugs and weapons on entry. We do not permit individuals who are intoxicated through drugs or drink to enter the club. We do not allow known drug dealers into the club. We have strict procedures to patrol toilets and other areas to deter and prevent drug use in History. I believe that we do all we can to prevent drug dealing and use inside History. We have never had any complaint from GMP about drug use or dealing at the club. What happens outside on the street away from and unrelated to History must really be a matter for the police.

75.INHALING NITROUS OXIDE – Similarly there are lots of complaints about individuals inhaling nitrous oxide in cars on St John Street. I can understand that this activity must be annoying, particularly when people leave the cannisters lying around the street after they have been consumed. However, we do not allow nitrous oxide to be brought into the club and cannisters would be picked up by wandering of customers for metal. We do not allow anybody to enter History who is intoxicated through drink, drugs or nitrous oxide.

76.LITTER (INCLUDING NITROUS OXIDE CANNISTERS) AND VOMIT ETC – At the end of every trading period, our staff thoroughly clean Longworth Street of all litter etc. We clean the whole of Longworth Street from El Rincon up to St John Street, round to The Residence up to Deansgate. I have seen the photographs of litter and cannisters left further down St John Street. I am ashamed that people could be so thoughtless, but I cannot see any evidence that it is customers of History who are doing this littering. I hope that our proposals to queue customers away from the entrance to The Residence will prevent any littering or anti-social behaviour from our customers near the entrance to The Residence.

77.URINATION/OTHER ASB ETC – I was shocked to read about disturbance to so many residents in the vicinity in the early hours of the morning. This is not acceptable and where this relates to customers of History, we

should be able to improve the situation. I accept we could do a better job of dispersing our customers away from the area at closing time, although we cannot really control people once they have left the immediate vicinity. We have proposed an earlier closing time for the club and a new last entry time of 02:00, which will stop disturbance from queuing after this time and will lead to customers leaving up to 2 ½ hours earlier on busy Saturday nights. I am confident that these revised measures and conditions will significantly improve the situation for local residents.

SUMMARY AND PROPOSALS

78. I am conscious of the serious nature of this review and that Council's Neighbourhood Compliance Officer (Steve Harrison) and others have asked the Sub-Committee to revoke the Premises Licence, as a result of the issues identified. GMP officers have also indicated that they have been instructed to request that the Sub-Committee revokes the licence.

79. Other objectors have indicated that they do not want the club to be closed down. Residents including [REDACTED] have said that they do not want to see the club closed down, but that they would like to see far better control over queuing and dispersal.

80. History has just come out of an 18-month Covid closure. We lost a lot of staff whilst the club was closed and we have had great difficulty finding new staff and sufficient doorstaff to work for us in the current environment.

81. Laila Leisure is already £216,000 in debt, as the company could not pay the rent whilst the club was closed. There is 15 years left to run on the lease and personal guarantees given to the landlord by company directors.

82. If the Sub-Committee revokes the licence, 34 staff (plus 12 doormen) will lose their jobs. Whilst I accept responsibility for failings at the club, particularly in relation to door supervisors, I do think we can do things far better and I do not think it is proportionate to close the club down after just two recent incidents. Our track record prior to the Covid closures must surely be taken into account.

83. We have put forward an action plan to GMP, which includes revised licensing hours, revised procedures and conditions to be imposed on the licence to deal with the issues that have been identified. This will include a last entry time of 02:00 to restrict disturbance whilst queuing and an earlier closing time of 04:00, which would reduce the opening hours on a Saturday by 2 ½ hours. We will also specify door supervisor numbers (12 on a Saturday) and that they must wear high-visibility yellow or orange vests, so that security staff can be easily identified. 2 members of doorstaff will also wear body cameras. A knife arch will be installed and the door team will be replaced.
84. We are proposing to revise our queuing procedures so that (up until the new 02:00 last entry time) queuing will take place along Longworth Street in a direction away from St John Street and The Residence. We will also disperse customers along Longworth Street and down Artillery Street, which is non-residential.
85. I am confident that these procedures, in combination with the earlier closing and last entry time, will improve the situation significantly for local residents and the police.
86. I hope that the Sub-Committee will give us an opportunity to prove that revising the hours and conditions of the licence is an appropriate step to take to promote the licensing objectives. We accept that if these issues were to recur after a licence review, then the likelihood is that the licence would then be revoked.
87. Whilst I accept that the two incidents were serious and as the DPS I accept full responsibility for the times when licence conditions have not been complied with. However, I do not believe that the only possible way to resolve the problems is to close the club down. Please give us an opportunity to show that the club can operate in a compliant manner and without leading to crime, disorder and public nuisance.

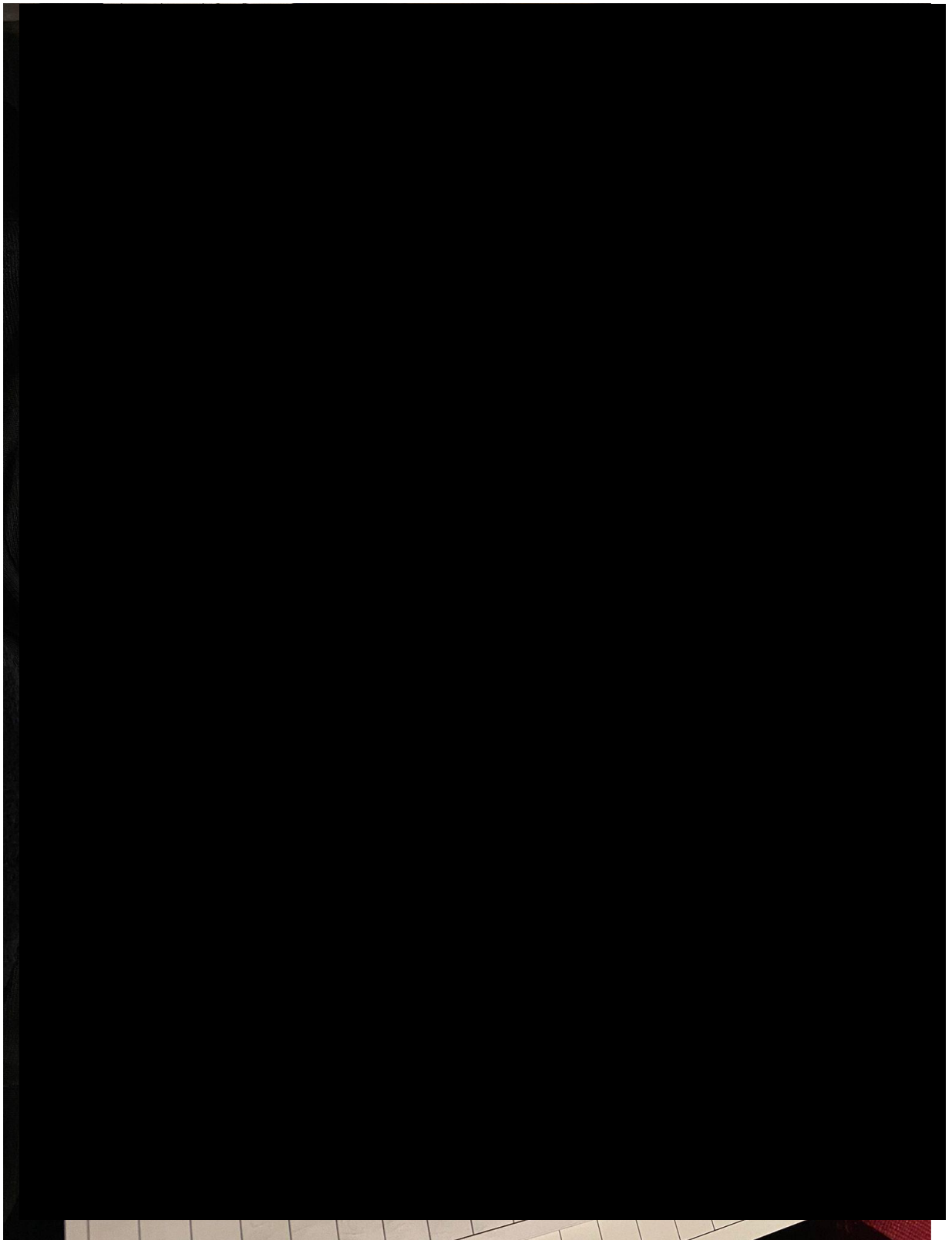


FRANKIE FABOWALE

12.10.21

EXHIBIT FF1

**[DOOR SUPERVISOR LOGBOOK FOR 12.09.21 &
19.09.21]**



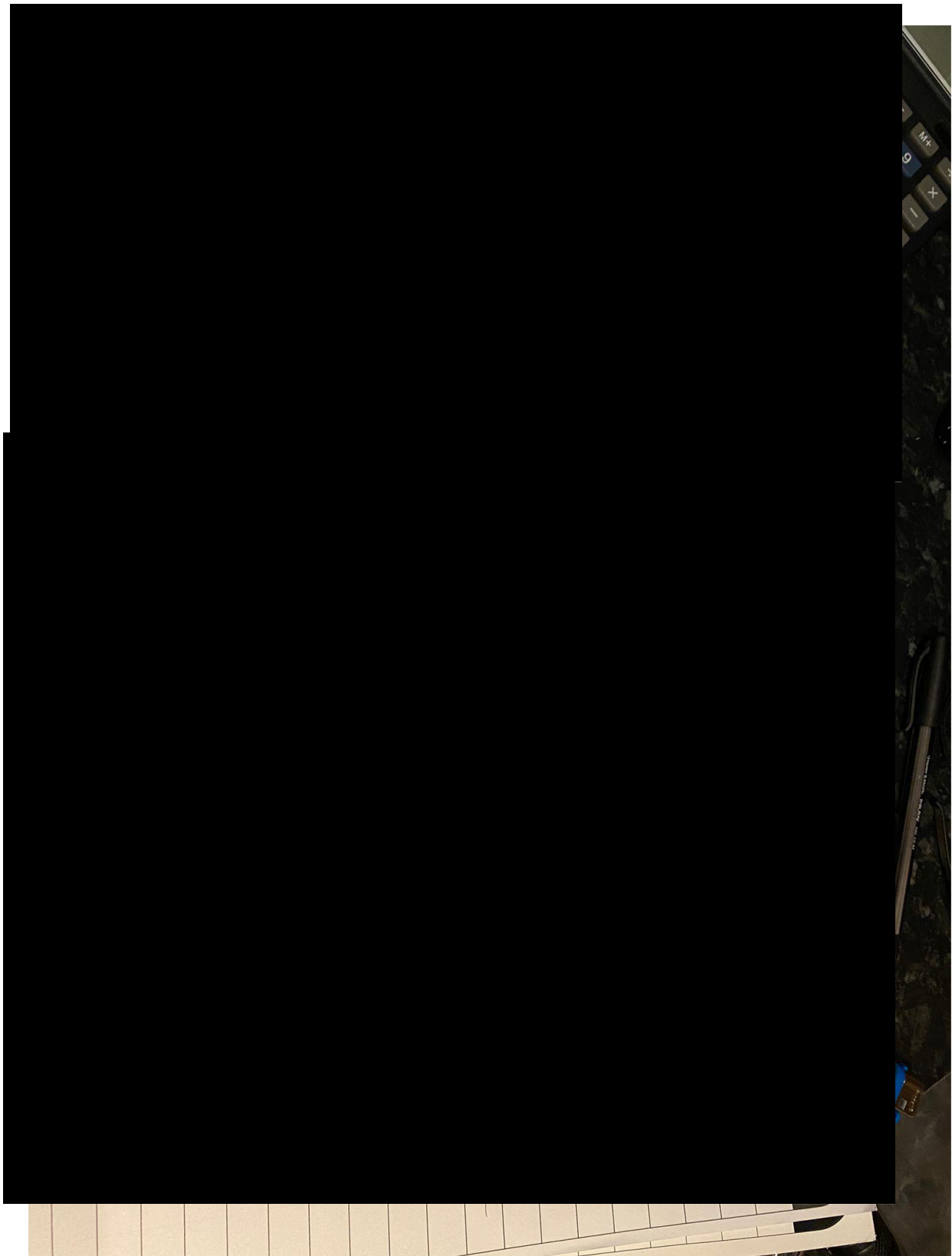


EXHIBIT FF2

[PLANNING CONDITIONS FOR THE RESIDENCE]

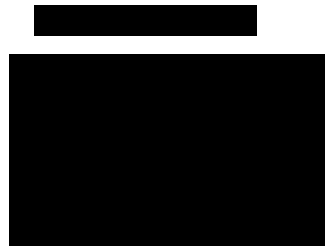
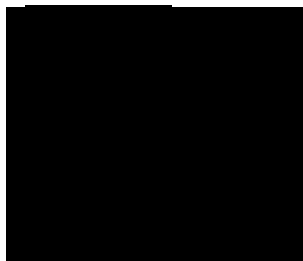
Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission



Part 1 – Particulars of the application/development

Proposal: Change of use of part basement, part ground floor and all upper floors of existing mixed use building to 11 no. residential apartments (Use Class C3) together with refurbishment of building, construction of single storey rooftop extension, modification of existing gated entrance and formation of new entrance on St. John Street elevation and replacement windows

Location: St John Street Chambers, 2 St John Street, Manchester, M3 4DT

Date of application: 7 March 2016

Application number: 111175/FO/2016/C1

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

(01) 010 Rev P1

stamped as received by the Local Planning Authority on 7 March 2016

(04) 01 Rev P7

(04) 02 Rev P8

both received via email on 31 May 2016

(04) 03 Rev P6

(04) 04 Rev P6

(04) 05 Rev P6

(04) 06 Rev P6

(04) 07 Rev P6

all stamped as received by the Local Planning Authority on 7 March 2016

(04) 08 Rev P7

(04) 10 Rev P3

(05) 001 Rev P2

(05) 002 Rev P2

all received via email on 31 May 2016

(24) 004 Rev P1

(31) 03 Rev P1

both received via email on 20 June 2016

SK 88 Rev P1

SK 89 Rev P1

SK 90 Rev P1

all received via email on 31 May 2016

SK 91 Rev P1

SK 92 Rev P1

both received via email on 17 June 2016

064/M502 Rev C1

064/M503 Rev C1

064/E504 Rev C1

all received via email on 16 June 2016

(31) 01 Rev P2

(31) 012 Rev P2

(32) 05 Rev P5

all received via email on 27 June 2016

The MVHR Design Statement, received via email on 16 June 2016

The submitted acoustic report by Hepworth Acoustics, ref. P15-407-R01v2 dated May 2016, as amended by the above approved drawings and documents with regard to the proposed mechanical ventilation system

The submitted waste management information and strategy contained within sections 2.7 and 4.3 of the submitted Design and Access Statement issued 4 March 2016

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development shall be implemented in accordance with the approved acoustic and window specification information so as to achieve the internal noise criterion as follows:

- Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB LAmax by more than 15 times)
- Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 42dB and 36dB, respectively.

Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

4) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Before development commences, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

5) External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the City Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such

glare or light spillage shall be submitted to the City Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

6) The development shall be carried out in accordance with the recommendations contained within section 3.3 and the physical security specifications listed within section 4 of the submitted Crime Impact Statement Version C, dated 25 January 2016, ref. 2015/0984/CIS/01.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

7) Construction of the roof-top extension hereby approved shall not commence unless and until samples and specifications of all materials to be used on all external elevations of the development, including the roof of the roof-top extension, have been submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

8) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented prior to first occupation of the building by residential occupiers and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

9) Prior to occupation of the building by residential occupiers, a scheme that will provide for the needs of future residents whom may wish to have the use of a motorcar in respect of their domestic needs, include details of the arrangements to be put in place, and shall also identify the parties who will be responsible for managing the scheme, shall be submitted to and approved in writing by the City Council as local planning authority. Any scheme approved in discharge of this condition shall be operational at all times that any residential units are occupied.

Reason - The development does not have any car parking facilities for the occupants in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future occupants, pursuant to policy DM1 of the Core Strategy and the National Planning Policy Framework.

10) The cycle parking indicated on the approved plan (drawing (04) 02 Rev P8) shall be made available for use prior to the residential units within the building hereby approved being occupied. The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

11) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

12) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) Domestic Refurbishment rating of 'very good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the residential units hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policy DM1 of the Manchester Core Strategy.

13) The development hereby approved shall include a building lighting scheme where mini-LED fittings will be installed on the projecting cornices on the external elevations. Full details of the proposed lighting scheme, including scaled elevational drawings and a specification of the proposed lighting units, shall be submitted to and approved in writing by the local planning authority before this element of the works begins. The approved scheme shall be implemented in full before the residential part of the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in the National Planning Policy Framework, saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) Notwithstanding the details shown on the approved drawings, the final design, materials, elevational treatment and finishing details for the roof-top extension hereby approved by this permission shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

15) Notwithstanding the details shown on the approved drawings, the final design and details of the proposed new central handrail to be installed at the main St. John Street (stepped) entrance shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

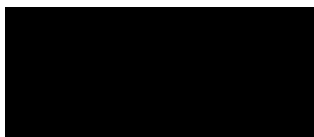
- Monday - Friday*: 7.30am - 6pm
- Saturday*: 8.30am - 2pm
- Sunday / Bank holidays: No work

*Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policy DM1 or the Core Strategy.

Date: 1 July 2016

Signed:

A solid black rectangular box used to redact the signature of Julie Roscoe.

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

EXHIBIT FF3

[PLANNING PERMISSION FOR 8-8A ST JOHN STREET]

Important – Planning permission & notices of consent

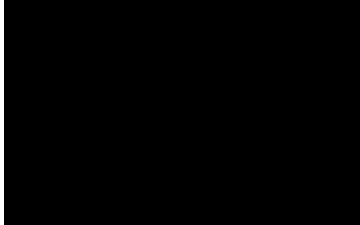
Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant



Agent (if used)



Part 1 – Particulars of the application/development

Proposal: The change of use of 8/8A St Johns from offices (B1) to residential accommodation comprising of two four-bed dwellings (C3) including the demolition of existing outriggers and the erection of a replacement rear extension; and the erection of a new four-bed residential dwelling (C3) at the rear of the existing property.

Location: 8-8A St John Street, Manchester, M3 4DU

Date of application: 20 October 2020

Application number: 127944/FO/2020

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding development considerations. Further discussions have taken place with the applicant through the course of the application, particularly in respect of matters arising from the consultation and notification process. As such, the proposal is considered to be acceptable.

Condition(s) attached to this decision

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

For information, the drawings titles with B1 relate to the conversion of the existing building and those with B2 relate to the new dwelling, as follows.

8/8a St John Street Conversion

Existing Drawings

- o 1084-TGA-ZZ-ZZ-DR-A-0200 Rev P1 Existing site plan
- o 1084-TGA-B1-00-DR-A-0310 Rev P1 Existing ground floor plan
- o 1084-TGA-B1-01-DR-A-0311 Rev P1 Existing first floor plan
- o 1084-TGA-B1-02-DR-A-0312 Rev P1 Existing second floor plan
- o 1084-TGA-B1-B-DR-A-0313 Rev P1 Existing basement plan
- o 1084-TGA-B1-ZZ-DR-A-0500 Rev P1 Existing St John Street elevation (South)
- o 1084-TGA-ZZ-ZZ-DR-A-0502 Rev P1 Existing Longworth Street elevation (East)
- o 1084-TGA-ZZ-ZZ-DR-A-0503 Rev P1 Existing Artillery Street elevation (North)
- o 1084-TGA-B1-ZZ-DR-A-0501 Rev P2 B1 existing north elevation
- o 1084-TGA-B1-ZZ-DR-A-0400 Rev P1 B1 Existing Section AA
- o 1084-TGA-B1-ZZ-DR-A-0401 Rev P1 B1 Existing Section BB
- o 1084-TGA-B1-ZZ-DR-A-0402 Rev P1 B1 Existing Section CC
- o 1084-TGA-B1-00-DR-A-4500 Rev P1 Existing ground floor ceiling plan
- o 1084-TGA-B1-01-DR-A-4501 Rev P1 Existing first floor ceiling plan
- o 1084-TGA-B1-00-DR-A-4502 Rev P1 Existing second floor ceiling plan
- o 1084-TGA-B1-00-DR-A-4503 Rev P1 Existing basement ceiling plan

Proposed Drawings

:

- o 1084-TGA-ZZ-ZZ-DR-A-0201 Rev P1 Proposed Site Plan
- o 1084-TGA-ZZ-ZZ-DR-A-0203 Rev P3 Proposed ground floor site plan
- o 1084-TGA-B1-ZZ-DR-A-0510 Rev P1 Proposed St John Street elevation (South)
- o 1084-TGA-ZZ-ZZ-DR-A-0515 Rev P1 Proposed Longworth Street elevation (East)
- o 1084-TGA-B1-ZZ-DR-A-0511 Rev P2 B1 Proposed North Elevation
- o 1084-TGA-B1-B-DR-A-0302 Rev P3 B1 Proposed Basement Plan
- o 1084-TGA-B1-00-DR-A-0303 Rev P3 B1 Proposed Ground Floor Plan
- o 1084-TGA-B1-01-DR-A-0304 Rev P3 B1 Proposed First Floor Plan
- o 1084-TGA-B1-02-DR-A-0305 Rev P3 B1 Proposed Second Floor Plan
- o 1084-TGA-B1-00-DR-A-4510 Rev P1 Proposed Ground Floor Ceiling Plan
- o 1084-TGA-B1-01-DR-A-4511 Rev P1 Proposed First Floor Ceiling Plan
- o 1084-TGA-B1-02-DR-A-4512 Rev P1 Proposed Second Floor Ceiling Plan
- o 1084-TGA-B1-B-DR-A-4513 Rev P1 Proposed basement ceiling plan
- o 1084-TGA-B1-ZZ-DR-A-0606 Rev P2 B1 south demolition elevation
- o 1084-TGA-B1-ZZ-DR-A-0605 Rev P2 B1 east demolition elevation
- o 1084-TGA-B1-ZZ-DR-A-0604 Rev P3 B1 north demolition elevation
- o 1084-TGA-B1-ZZ-DR-A-0410 Rev P2 Proposed B1 section AA
- o 1084-TGA-B1-ZZ-DR-A-0411 Rev P2 Proposed B1 section BB
- o 1084-TGA-B1-ZZ-DR-A-0412 Rev P1 Proposed B1 Section CC

- o 1084-TGA-B1-00-DR-A-2200 Rev P1 B1 Proposed Internal Elevations
- o 1084-TGA-B1-00-DR-A-2201 Rev P1 B1 Proposed Internal Elevations
- o 1084-TGA-B1-01-DR-A-2202 Rev P1 B1 Proposed Internal Elevations
- o 1084-TGA-B1-02-DR-A-2203 Rev P1 B1 Proposed Internal Elevations
- o 1084-TGA-B1-B-DR-A-2204 Rev P1 B1 Proposed Internal ElevationsRear

Dwelling

Existing Drawings:

- o 1084-TGA-ZZ-ZZ-DR-A-0200 Rev P1 Existing site plan
- o 1084-TGA-ZZ-ZZ-DR-A-0502 Rev P1 Existing Longworth Street elevation (East)
- o 1084-TGA-ZZ-ZZ-DR-A-0503 Rev P1 Existing Artillery Street elevation (North)

Proposed Drawings:

- o 1084-TGA-ZZ-ZZ-DR-A-0201 Rev P1 Proposed Site Plan
- o 1084-TGA-ZZ-ZZ-DR-A-0203 Rev P2 Proposed Ground Floor Site Plan
- o 1084-TGA-ZZ-ZZ-DR-A-0515 Rev P1 Proposed Longworth Street elevation (East)
- o 1084-TGA-B2-00-DR-A-0300 Rev P2 B2 Proposed Ground Floor Plan
- o 1084-TGA-B2-00-DR-A-0301 Rev P2 B2 Proposed First Floor Plan
- o 1084-TGA-B2-ZZ-DR-A-0512 Rev P1 B2 proposed north elevation
- o 1084-TGA-B2-ZZ-DR-A-0513 Rev P1 B2 proposed south elevation
- o 1084-TGA-B2-ZZ-DR-A-0514 Rev P1 B2 proposed west elevation
- o 1084-TGA-B2-ZZ-DR-A-0400 Rev P1 Proposed B2 section CC
- o 1084-TGA-B2-ZZ-DR-A-2100 Rev P1 B2 Bay Study 1
- o 1084-TGA-B2-ZZ-DR-A-2101 Rev - B2 Bay Study 2

Documents

- o Design and Access Statement P2, prepared by Tim Groom Architects
- o Planning Statement, prepared by Turley
- o Heritage Statement, prepared by Turley
- o Response to Planners Comments (16.03.2021), prepared by Tim Groom Architects
- o Heritage Briefing Note March 2021, prepared by Turley
- o Desk Based Archaeology Assessment, prepared by Nexus Archaeology
- o Ecology Assessment, prepared by ECUS
- o Energy Statement, prepared by Zerum
- o Environmental Standards Statement, prepared by Turley
- o Noise Assessment, prepared by RBA Acoustics
- o Tree Survey Method and Tree Survey Report, prepared by ECUS
- o Drainage Strategy, prepared by Hydrock
- o Broadband Connectivity Survey, prepared by GTech Surveys
- o Ventilation Statement, prepared by Zerum
- o Air Quality Assessment, prepared by Hydrock
- o Ground Conditions Desk Study Report, prepared by Hydrock
- o Waste Proforma
- o Transport Statement, prepared by SK

Reason - To ensure that the development is carried out in accordance with the

approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of the development, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining, details of ventilation/air bricks, and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.

4) Prior to commencement of development, a Construction Management Plan shall be submitted to and approved by the Council, including air quality assessment in relation to construction. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such as out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to policies SP1 and DM1 of the Core Strategy.

5) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to policies SP1 and DM1 of the Core Strategy.

6) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from neighbouring roads and the railway line shall be submitted to and approved in writing by the City Council as local planning authority.

There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy.

7) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy.

8) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

Reason - In the interests of amenity and public health, pursuant to policies SP1 and DM1 of the Core Strategy.

9) Preliminary Risk Assessment

A Preliminary Risk Assessment has been prepared by Hydrock and submitted with the application, and this confirms that intrusive investigation will be required.

a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, it shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before any part of the development is occupied, then development shall cease and/or the development shall not be occupied until a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies SP1 and DM1 of the Core Strategy.

10) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies SP1 and DM1 of the Core Strategy.

11) Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority.

All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason: In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.

12) No demolition or development shall take place until the applicant or their agents or

successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

- (a) A phased programme and methodology of investigation and recording to include:
 - i) an evaluation through trial trenching
 - ii) dependent on the above, more detailed excavation (subject to a separate WSI.)
- (b) A programme for post investigation assessment to include:
 - production of a final report on the investigation results
- (c) Deposition of the final report with the Greater Manchester Historic Environment Record.
- (d) Dissemination of the results of the archaeological investigations commensurate with their significance.
- (e) Provision for archive deposition of the report and records of the site investigation.
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012), saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

13) No development takes place until a detailed mitigation strategy for roosting bats has been submitted to the LPA for approval. This should include the measures indicated within the approved Ecology Assessment, including a detailed spec (type and location) for provision of alternative roost places, supervision of the demolition works by a licenced ecologist following a method statement, and post-development monitoring. Once approved in writing by the LPA, the mitigation strategy must be carried out in full.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance

with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

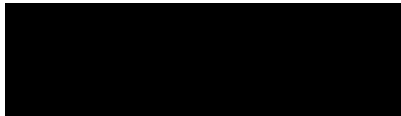
The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

The applicant shall be aware of the legal protection that active birds' nests receive. Work (building demolition, site and vegetation clearance) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated

that no active birds' nests are present. Sufficient compensatory nesting habitat (boxes and tree planting) must be provided to ensure no loss of nesting opportunities within the area.

Date: 31 August 2021

Signed:

A black rectangular box redacting the signature of Julie Roscoe.

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A

EXHIBIT FF4

**[PROPOSED ACTION PLAN AND PROPOSED
CONDITIONS]**

HISTORY NIGHTCLUB

PROPOSED ACTION PLAN AND REVISED CONDITIONS

ACTION PLAN 1 – PREVENTING KNIVES BEING BROUGHT INTO THE VENUE

All customers at History are currently “wanded” with metal detectors on entry by door supervisors. However, this does not always pick up concealed weapons.

History has purchased a new metal detector arch, as seen below.

Use of the metal detector arch will act as both a deterrent and will also pick up any hidden metal items. In combination with searches and wands, customers who activate the metal detector (having placed all metal items in an airport style tray) will be further searched. A female door supervisor will be employed to search female customers. Any person who does not consent to a search, or who still triggers the metal detector will be refused entry to the club.

All customers must pass through the metal detector on entry or re-entry to the club.



ACTION PLAN 2 – PREVENTING UNDESIRABLES ENTERING THE CLUB

On 19th September 2021, 100 persons who had been refused entry to the club, “rushed” the door and the door supervisors on duty were overwhelmed. GMP was called and the police attended to restore order and to help eject individuals.

History accepts that door supervisor numbers were inadequate on the night. There were 8 door supervisors on duty.

The club intends to recruit more door supervisors and will ensure that 12 door supervisors are on duty from midnight until close on Saturday nights (one of whom should be female).

All doorstaff will wear yellow or orange high visibility jackets/vests when on duty to highlight numbers of security staff.

2 members of security staff will wear body cameras with a fulltime recording facility.

To prevent the door being rushed, a metal bar will be installed at the back of the main doors, which will lock the doors shut in the event of a door “rush”. The doors will be manned at all times and will be closed from the inside in the event of any attempt to rush the doors.

ACTION PLAN 3 - QUEUING AND CROWD CONTROL

We are now proposing a new last entry time condition of 02.00, which will mean that queues do not form outside the club after 02.00. Customers arriving after this time will be turned away.

The recent grant of planning permission for residential apartments at The Residence (corner of Longworth Street and St John Street) has led to the current queuing arrangements causing disturbance to residents. The History queue is normally controlled with barriers along Longworth Street towards St John Street. The street is then informally closed off with barriers whilst the club is in operation to prevent customers being hit by speeding cars.

We will now move the queue from the St John Street side of History to the Artillery Street side, along the pavement towards El Rincon (which is closed by the time History opens). On an informal basis, we intend to maintain moveable barriers across the street when the club is open to protect the public from speeding vehicles.

The queue will be controlled with barriers alongside the pavement.

Barriers around the entrance will be supervised by door supervisors at all times.

A new CCTV camera will be installed at the junction of Longworth and Artillery Street.

A view of the street can be seen in the photographs below:





ACTION PLAN 4 – DISPERSAL OF CUSTOMERS AT CLOSING TIME

We are now proposing revised hours and days of operation at History. We will vary the hours for licensable activities to 03.30 on Tuesday, Friday and Saturday (plus NYE and bank holiday Sundays), with closing at 04.00.

The current licence condition requiring exiting customers to be directed towards St John Street and then on to Deansgate is clearly causing disturbance to residents (including to residents of new residential buildings in the vicinity, such as the Residence).

We will now control dispersal at the end of the night by directing customers down Longworth Street and along Artillery Street.

Egress to St John Street by exiting customers will be discouraged/prevented using moveable barriers and door supervisors.

The junction of Artillery Street and Longworth Street will be supervised by 2 door supervisors at closing time until it is cleared of customers.

A new CCTV camera will be installed covering the length of Artillery Street.

ACTION PLAN 5 – NEW DOOR COMPANY/TEAM

We are reluctant to lose our door team as many of the individuals have been working for us for a number of years. However, we are very concerned about the issues that have been raised in this review and lack of co-operation with GMP by our door supervisors.

We are therefore proposing to replace Securios with a new door company and door team. We will ensure that the new team are fully aware of the licence conditions.

We will not allow any staff member without a SIA licence to carry out any security function at the club.

REVISED HOURS FOR LICENSABLE ACTIVITIES

Hours for licensable activities to be revised to:

Alcohol - Tuesdays, Fridays and Saturdays (plus NYE and Bank Holiday Sundays) 11.00 to 03.30.

LNR – Tuesdays, Fridays and Saturdays (plus NYE and Bank Holiday Sundays) 23.00 to 03.30

Live music, recoded music etc - Tuesdays, Fridays and Saturdays (plus NYE and Bank Holiday Sundays) 11.00 to 04.00.

Hours premises open to the public - Tuesdays, Fridays and Saturdays (plus NYE and Bank Holiday Sundays) 11.00 to 04.00.

NEW AND REVISED LICENCE CONDITIONS

NEW CONDITIONS

“All customers entering the premises must pass through an effective metal detector arch. Those triggering an alarm must be searched or, if they cannot pass through the arch without triggering an alarm, must be denied entry to the club.”

“Any queues forming at the premises must be controlled by barriers and queuing must take place in the Artillery Street direction and away from St John Street.”

“At least 2 door supervisors must wear body cameras with recording facilities, which must be operational and recording at all times the premises is open to trade.”

“A last entry time of 02.00 shall apply. Re-entry and/or exiting the premises to smoke shall not be permitted after this time. Queuing to enter the club will not be permitted after this time.”

“A mobile phone number of the DPS (or deputy) will be made available to all residents of The Residence and other nearby residents. This number will be manned whilst the club is open and until 30 minutes after it closes. On receipt of any music noise complaint, the DPS will take immediate steps to investigate this and to resolve the issue, provided that the music is emanating from History.”

“Meetings with residents shall be advertised and shall take place at least every 6 months. Residents will be invited to meetings by leaflet and by placing a notice

on at least one lamppost in the vicinity of the club. The club shall keep minutes of these meetings and action taken. The notes shall be made available to the responsible authorities on request.”

REVISED CONDITIONS

Annex 2 condition 35 revised to read “Door staff shall wear yellow or orange high visibility jackets or vests at all times when on duty”

Annex 2 condition 36 revised to add “On Saturdays, a minimum of 5 door supervisors shall be employed from 23.00 and a minimum of 12 from midnight until 30 minutes after the premises closes. On other nights, a minimum of 10 doorstaff will be employed from midnight until 30 minutes after the premises closes.”

Annex 2 condition 46 to be revised to read “In order to assist in the orderly dispersal of customers, from 02.00 customers will be directed to leave the club via Longworth Street and Artillery Street. From 30 minutes before the premises closes to 30 minutes after it closes, at least 2 door supervisors shall be positioned at the junction of Longworth and Artillery Street and shall encourage customers to disperse towards Byrom Street. The door supervisors shall wear yellow or orange high visibility clothing and shall have a Nitenet radio in their possession at all times. These door supervisors will remain in position until Longworth Street and Artillery Street are clear of customers”

Annex 2 condition 51 to be revised to read “After 02.00 customers shall be directed towards taxis on Byrom Street.”