

## Resident 1

Date: 4 November 2018 at 14:08

Subject: Reference: 221712/AM2

To: premises.licensing@manchester.gov.uk

Cc: [REDACTED]

Reference: 221712/AM2

Premises: Part 7th Floor XYZ Building, XYZ Building, 2 Hardman Boulevard, Manchester, M3 3AQ

Applicant: XYZ Work Limited

Hi

I am a resident of [REDACTED] Leftbank which is directly outside and opposite floor 7 of the XYZ's outdoor space.

Please accept this as my concern over the above licence application regarding the opening hours and the hours of alcohol availability.

This space has a large outdoor balcony overlooking, and is located very close to our living room and bedrooms.

- 1) For this reason I think a 10pm alcohol license is too late and will promote loud, disturbing noise in outside areas late at night.
- 2) There is no noted limitation on the time allowed on the outdoor area of the premises which I am sure will cause a "nuisance to occupants" of this residential dwelling.
- 3) The XYZ's event space is so close to our bedrooms and living rooms that I am certain ANY night time music from this premises will cause a disturbance to myself, my family and my neighbours.

I have no problem with the 7th floor being an event space as planned, but I am certain that any alcohol licence granted to somewhere so close, and with a large outdoor balcony, will provide excessive noise disturbance to residents...who are living within 10 metres of this newly erected space.

Please find attached image of the proximity of this event space to which you are considering granting a 10pm alcohol licence.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



## Resident 2

From: [REDACTED]

Date: 12 November 2018 at 13:14

Subject: OBJECTION to: Reference: 221712/AM2 - Part 7th Floor XYZ Building

To: premises.licensing@manchester.gov.uk

Cc: "[REDACTED]"

cc. Leftbank manager: [REDACTED]

In regards to the above application and having attended the event hosted by the Licence Applicants to inform Leftbank residents of the Proposal. I would like to OBJECT to the Application as it currently stands.

It should also be noted that just prior to this meeting and when the information was sent to Leftbank residents the government page:

[https://secure.manchester.gov.uk/info/200063/licences\\_and\\_permissions/610/deansgate\\_-\\_current\\_licence\\_applications/7](https://secure.manchester.gov.uk/info/200063/licences_and_permissions/610/deansgate_-_current_licence_applications/7)

Showed as : PAGE NOT FOUND and only Now available to view in full.

At the least a delay should be given to allow the hundreds of tenants at Leftbank to view the details in full. In order to make an informed choice.

Key Points for Objection:

### 1. PRIVACY will be TOTALLY REVERSED:

One of key reasons to choose to live at Leftbank, especially at the higher levels 7+, was due to the quietness and as all office workers leave at circa 4-5.30pm. NOW.... There will be 700+ 'members' with access to a Balcony with alcohol that directly looks into our bedrooms and living space. In addition the 700+ members there will be visitors hosted by the applicant.

Visitors to this balcony will of course like all rooftop bars etc in Manchester, higher up, will be inquisitive to look around at the sights.

With the suspended Apartments/Penthouses of Leftbank being from floor 7+ RESULTS in regular strangers observing directly into our Living area, Bedrooms and CHILDREN's bedrooms.

This is not normally a problem as the resident's living time is AFTER the workers have gone home - accepting this application totally reverses ALL of our Privacy mon-Fri up till 10pm.

### 2. NOISE NUISANCE:

The Noise in the Leftbank/Spinningfields area massively travels and having uptown 30 persons on a Balcony with alcohol Partying/Conversing etc only circa 20 metres from our homes and balconies, will be again a total reversal to the quiet standards experiences presently.

### 3. UNNECESSARY APPLICATION

There are numerous new Bars (20 Stories, the Ivy) etc that have rooftop facilities and would totally welcome corporate workers in their off peak times (5-10pm midweek) which are far enough away from the hundreds of residents of Leftbank, but also within a few mins walking distance of the Applicants buildings. And if an office block wants to entertain clients or themselves, can they simply not access the MANY bars and corporate social spaces already available in Spinningfields.

At worst case scenario, the application should NOT be for continued access to such a late hour of 10pm and capped at max 6-7pm on certain evenings (Friday) etc.

Thank you for your consideration of these comments reflecting many of the residents concerns



## Resident 3

Question      Response

First name:    [REDACTED]

Last name:     [REDACTED]

Building number or name:      Flat [REDACTED]

Street:        [REDACTED] Leftbank

Area:    Manchester

Postcode:      M3 3AH

Email :         [REDACTED]

Application reference number: 221712/AM2

Premises name (if known) and full address this representation relates to: 7th Floor

XYZ Building

Hardman Boulevard

Spinningfields

Manchester

The prevention of public nuisance

I have no objection to the license application inside the XYZ building, however, the use of the external balcony up to 22:00 will cause nuisance for those residents of flats facing it directly. The balcony is very close to Leftbank apartments and there is no noise barrier. Some of those flats will have bedrooms close to the balcony and for anyone working early mornings needing early sleep times will be impacted by noise that inevitably generated by people enjoying the consumption of alcohol. It would be a shame not to make use of the balcony but can I suggest that it is closed from 20:00?

AGREED- SEE NEXT PAGE

From: [REDACTED]

Sent: 26 November 2018 16:09

To: [REDACTED]

Subject: Re: XYZ 7th Floor Premises Licence Application (XYZ2/1)

Hi [REDACTED]

Thanks for the comprehensive email.

A rather shorter reply.

Yes, that does sound like a very reasonable compromise. I happy with that provided it is properly managed and adhered to.

Many thanks,

[REDACTED]

[REDACTED]

[REDACTED]

On 26 Nov 2018, at 15:25, [REDACTED]@kuits.com> wrote:

Good afternoon [REDACTED]

Hope you are well. I write further to our previous correspondence in relation to the above, to the residents meeting held, and to the representation that you have submitted.

I have now had the opportunity of discussing the representations lodged, and the comments and concerns raised in the residents meeting, with my clients.

It seems that your concerns are shared by those who have objected – in that there certainly doesn't seem to be any particular issue with the internal use of the space, but use of the external space on the balcony is the potential point of contention.

I would highlight some of the points we discussed in the residents meeting as follows:

Firstly, the balcony space that is to be licensed is not that which is closest to Leftbank – a section of balcony has been deliberately left between the edge closest to Leftbank and the start of the licensed area. I attach a copy of the plan lodged with the application, and you will see that there is a section of balcony below the red line here. I would highlight that there will be no access for patrons of the licensed premises from the red line area to this section of the balcony

Secondly, at that end of the balcony closest to Leftbank, my clients will be constructing a 'living wall' which will provide a sight barrier between the balcony and Left Bank. We appreciate that this won't fully obscure all views as the front of the balcony does provide a line of sight, but it will certainly assist in restricting this and providing a barrier for the Leftbank residents.

Thirdly, we are happy to agree various additional conditions which will hopefully provide additional comfort to residents in respect of the use of the balcony, as follows:

- o 'No smoking shall be permitted at the premises.'
- o 'No speakers shall be mounted externally.'
- o 'Balcony doors shall remain closed after 20:00 except for ingress and egress.'
- o 'The telephone number of the DPS or premises manager shall be provided to the management team/concierge of the Leftbank Apartments.'
- o 'The DPS or premises manager shall attend any local residents meetings if requested to do so.'

I am hopeful that you will agree that these represent significant and sensible compromises which restrict the use of the balcony in a balanced manner appropriate to the context of the area as a whole. They also ensure that the residents have direct contact should there be any concerns going forward. However, we also discussed the nature of the operation and the monitoring of the premises will dictate the standards of behaviour of those using the space.

Further though, I note that your suggestion is that the times for the use of the balcony should be restricted, and indeed this was also something which was raised during the residents meeting.

We have considered this in detail, and would suggest that, again in the context of the size of the premises, the area as a whole and the other uses in close proximity, 9pm is an appropriate and reasonable cut off time. As such, we will be happy to agree the addition of the following condition:

'The balcony shall not be accessible to customers after 21:00 daily.'

I do hope that the above assisting in addressing the concerns you have in respect of this application, but if you wish to discuss any further, please do not hesitate to contact me.

Kind regards,



## Resident 4

From: [REDACTED] >

Date: 13 November 2018 at 13:37

Subject: Reference: 221712/AM2

To: "premises.licensing@manchester.gov.uk" <premises.licensing@manchester.gov.uk>

Dear Sirs

Regarding: Part 7th Floor XYZ Building

Reference :221712/AM2

I would like to share my concerns about the proposed license on the 7th Floor of the XYZ building in Spinningfields, Manchester.

I am the owner of an apartment on the [REDACTED] floor of Leftbank who's balcony oversees the whole of spinningfields [REDACTED]. I feel that having a licensed premises overlook our apartments is against public safety for the residents of Leftbank. There is a fear that anyone can look into their apartment and monitor their activities. Not only will it be a nuisance for those trying to sleep during the week but not being able to use their own balcony for peace and quiet makes the apartment less desirable for tenants. We are in an age where people video or take picture of anything, meaning anyone in these apartments can be subject to that.

Secondly, there are quite a few families that live in the Leftbank apartment block. I think this application put's their safety and standard of living at risk. No child wants to look out of their window and see drunk people opposite them during a school night.

Please can you reconsider this application or at least make the hours of operations in tune with standard business hours.

Many Thanks

[REDACTED]




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

Name	[REDACTED]
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	[REDACTED] Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

<b>Premise Details</b>	
Application Ref No	LPA221712
Name of Premises	Part 7th Floor XYZ Building
Address	2 Hardman Boulevard, Manchester, M3 3AQ

<b>Representation</b>
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><b><u>Prevention of Public Nuisance</u></b></p> <p>The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of this application, taking into account a number of factors including the nature of the area in which the premises is located and the risk that granting this licence could lead to issues of public nuisance.</p> <p>The premises is located in Spinningfields, on the seventh floor of the XYZ building. The premises has a large outdoor balcony area, which, at its closest distance, is approximately only 12 metres away from residential properties of the neighbouring Left Bank Apartments building.</p> <p>We have concerns that the conditions currently proposed are not sufficient to adequately address the risk of Public Nuisance, considering the close proximity of so many residential properties.</p> <p>We therefore recommend that the following conditions be added to the premises licence:</p> <ul style="list-style-type: none"> <li>• No speakers shall be mounted externally</li> <li>• No alcohol or glass containers shall be on the balcony after 20.00</li> <li>• Balcony doors shall remain closed after 20.00 except for ingress and egress</li> <li>• The mobile bar shall not be located or used on the balcony at any time</li> <li>• Alcohol shall not be made available via self-service</li> <li>• There shall be a documented Smoking Policy drawn up by the DPS and implemented at the premises</li> </ul>

- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them
- The telephone number of the DPS or premises manager shall be provided to the management team/concierge of the Left Bank Apartments
- The DPS or premises manager shall attend any local residents meetings if requested to do so

Recommendation:

Approve with Conditions (Outlined Above)

AGREED

From: [REDACTED]

Date: Sat, 24 Nov 2018 at 09:59

Subject: Conditions agreed - LPA221712 - 7th Floor, XYZ Building, Spinningfields

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

Good morning,

Please see the email trail below between myself and [REDACTED] Kuits.

The conditions proposed on my representation have been accepted other than the following which have also been agreed:

Proposed condition *'No alcohol or glass containers shall be on the balcony after 20.00'* to be replaced with *'The balcony shall not be accessible to customers after 21:00 daily'*

Also, removing condition *'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them'* as this is duplication of the existing terms of the licence.

Kind regards,

[REDACTED]

--- Forwarded message -----

[REDACTED]

Date: Fri, 23 Nov 2018 at 16:34

Subject: RE: Premises Licence hearings 06/12/2018 (XYZ2/1)

To: [REDACTED]

Hi [REDACTED]

Thanks for coming back to me so quickly, I can confirm the below is correct.

If you can confirm to the licensing team that we are agreed, that would be great.

Kind regards,

[REDACTED]

[REDACTED]

Associate | Licensing

**From:** [REDACTED]  
**Sent:** 23 November 2018 16:17  
**To:** [REDACTED]  
**Subject:** Re: Premises Licence hearings 06/12/2018 (XYZ2/1)

Hello [REDACTED]

Thank you for clarifying everything by email, I am happy to accept your amendments to the conditions.

To be clear, that is, that the premises accepts all of the conditions on my representation other than:

'No alcohol or glass containers shall be on the balcony after 20.00' to be replaced with 'The balcony shall not be accessible to customers after 21:00 daily'

Also, removing 'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them' as this is duplication of the existing terms of the licence.

Please let me know that you are happy with this and I can confirm with the Premises Licensing team.

Kind regards,

[REDACTED]  
Level 2 Neighbourhood Officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate  
Contact Centre: 0161 234 5004

On Fri, 23 Nov 2018 at 11:48, [REDACTED]  
[REDACTED]

Thanks for your time just now, much appreciated.

As discussed, please take this email as confirmation that we are happy to agree to all of the conditions proposed in respect of the ground floor application. If you could confirm to licensing that your representation is agreed on that basis, that would be great.

In terms of the 7<sup>th</sup> floor, we are happy to agree all conditions save for:

1. 'No alcohol or glass containers shall be on the balcony after 20:00.'
2. 'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.'

In terms of point 1, as discussed, we do understand the concerns re: the use of the balcony. However, we are happy to restrict further to ensure that the balcony is not used at all, if we can agree the timing at 21:00. I would suggest wording as follows:

‘The balcony shall not be accessible to customers after 21:00 daily.’

I would suggest that this is reasonable in the context of the small size of the proposed premises, and the area, given, as I mentioned, that there are several external areas (e.g. The Refinery, Dockyard, Scene, Slug & Lettuce) which are permitted to trade until at least 23:00 daily.

In terms of point 2, as discussed, I have no particular problem with this condition if you did want it to be added, I’m just not sure it’s necessary as we’ve applied for the sale of alcohol for consumption on the premises only, and therefore it would not be permissible for it to be taken beyond the red line area.

Hope that helps to clarify matters, and I do hope that these proposals will address your concerns.

I look forward to hearing from you soon.

Kind regards,

A solid black rectangular redaction box covering the signature area.