



Licensing & Out of Hours Compliance Team - Representation

Name	Nathan Mistry
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	nathan.mistry@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No's	REF 273341 – 273343 – 273345 – 273347 – 273350 – 273351 – 273352 – 273353 – 273354
Name of Premises	Shindigger Secret Garden
Address	44 Ellesmere Street, Manchester, M15 4JY

Representation

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

The Licensing and Out of Hours Team (LOOHT) in our capacity of an Environmental Health Responsible Authority have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of the licence could have on the licensing objectives.

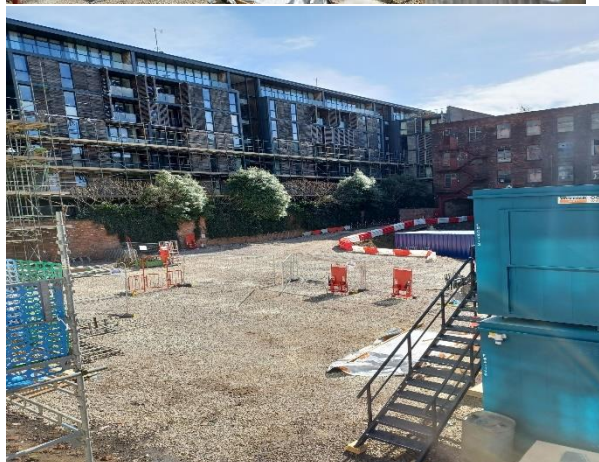
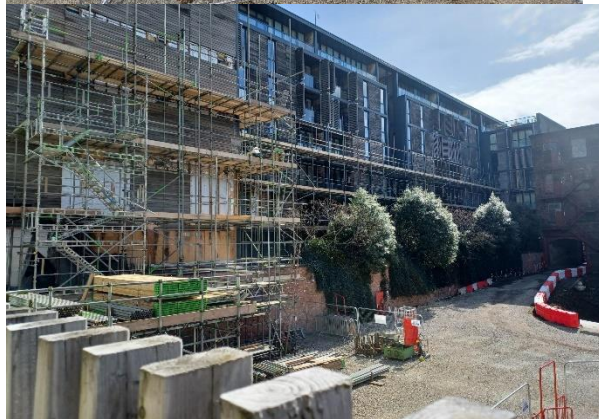
As a result of this assessment we have concerns that the grant of this application is likely to lead to issues of public nuisance. These concerns are specifically that the grant of this license is likely to lead to public nuisance in the way of noise issues to local residents.

The proposed location of the Temporary Event Notices (TEN's) is located at 44 Ellesmere Street, Hulme, M15 4JY. The location of the proposed TEN's is behind a disused mill where there is a large courtyard, surrounded by residential properties on Worsley Street, Burton Place and Ellesmere Street.

The applicant has submitted TEN's for 9 events equating to 27 days in total. These TEN's cover every weekend from 1st July 22 to 27 August 2022. This representation relates to all of the 9 TEN's submitted by the applicant and our recommendation is to refuse all 9 of the TEN's.

The courtyard is currently under significant construction and after conducting a site visit on 09/04/22 the LOOHT have serious concerns regarding the health and safety of the location.

Please see below pictures of the proposed location dated 09/04/22:



After conducting a site visit to the location, LOOHT are unable to make a fair assessment of the location and how the TEN's will be run / organised due to the current unfinished nature of the area. The applicant has submitted a basic plan of the event, however this cannot be applied to the current unfinished

state of the location and there are no guarantee's that this construction work will be finished at the time of the proposed TEN's.

LOOHT feel the current proposed location could pose a significant Health and Safety risk and undermine the Public Safety Licensing Objective.

LOOHT believe there is a high potential for public nuisance in the form of noise generated from patrons leaving and arriving at the event. The exit/entrance to the event is directly opposite an apartment block on Ellesmere Street, therefore the likelihood of transient noise from patrons entering and leaving the event will likely be high. This is also the only entrance and exit to the site.

The applicant has also stated that there will be space for 400 patrons, this will cause significant noise nuisance issues in the area. The area is densely populated with residential flats within the locality and there has been a history of noise complaints in the area from 2019 to present.



Key:

Red arrows – residential properties

Green Circle – Entrance / Exit of proposed TEN site

Yellow Circle – Proposed Site of Event

The LOOHT have received over 21 noise complaints from the construction of Talbot Mill since 2019 and have also received over 19 noise complaints from a nearby licensed premise (Binary Bar) in regard to noise nuisance and loud music. These examples help to highlight the sensitivity to noise nuisance from local residents in the area. Such a high number of noise complaints in this area could also point to increased sound travel and noise reverberation issues due to the structural makeup and the design layout in this area. The fact the applicant has stated there will be ambient music throughout the day and evening as well as up to 400 patrons talking/shouting, LOOHT feel this will pose significant noise nuisance issues to local residents in the direct area and

surrounding areas of the event.

The applicant has also made mention of a DJ being used at the first and last event: *"*We may consider having a DJ on the first and last days. I am aware of the risks you outlined on the phone around this, and if we do have a DJ we will still keep the music level under control. We definitely wouldn't be looking to create a 'club' atmosphere with a dance floor, it will still very much be the seated beer garden concept".*

This detail was omitted on the original application and details of this were only mentioned after speaking to the applicant directly.

From the LOOHT experience, organisers of such events sometimes have trouble managing the sound levels from DJ's and that from our teams' experience, DJ's have been known to completely ignore requests from event organisers once they have the audience on side. There are no details on the application how sound will be managed at the event and no details how they intend to control volume levels.

For the above reasons the LOOHT believes that if these TEN's were to be granted it would seriously undermine the prevention of public nuisance as a Licensing objective. We therefore recommend that the TEN's are refused.

Recommendation: Refuse Application