



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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Premise Details

Application Ref No	M280035
Name of Premises	The Loft
Address	1 New Street, Newton Heath M40 8AW

Representation

The Licensing & Out of Hours (LOOH) Team have risk assessed the Temporary Event Notice (TEN) taking into consideration the location of the premises and proximately to local residents, trading history, Manchester City Council's Statement of Licensing Policy (SLP) and the Four Licensing Objectives.

The premises are located in close proximity to Canada Street (less than 200m away). The residential streets home Army Veterans as well as families. The premises has recently been refused planning permission for the site (currently under appeal), one of the reasons cited as 'The Cultural Events Space creates increased noise, disturbance and activity in the surrounding area from comings and goings together with noise outbreak from the premises, at sensitive hours of the day, which would have an unduly harmful impact on residential amenity particularly residential properties along Canada Street and New Street'. Although planning and licensing are separate remits, these concerns overlap and are relevant to the Prevention of Public Nuisance Licensing Objective.

'S7.29 of the SLP states: The authority considers that later hours will typically be more sensitive and higher risk in causing problems.'

Having monitored the premises on weekends when the premises is permitted to trade until 5am, it was observed that whilst the majority of the customers walk towards Oldham Road on dispersal, there are still customers who walk towards Canada Street and create noise by talking/ shouting & banging car doors/ turning car radios on and beeping their horns. Of 275 potential patrons, it is inevitable that dispersal noise will disturb residents from 3am on the Friday morning, some of whom will be children getting up for school and people getting up for work.

S7.31 of the SLP states: 'It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.'

Therefor the LOOH team believe that the current Premises Licence permitted for the premises authorising Alcohol sales until 11pm with 1 hour for dispersal on a Thursday night, is more than sufficient and the request for an extension by way of a TEN should be refused.

S7.32 of the SLP States: 'Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.'

Recommendation:

Refuse Notice