

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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About the Premises

Application Reference No.	LPA 281030
Name of the Premises	Achievable Community Services Ltd
Address of the premises including postcode	2 Empire Street, Manchester M3 1JA

Your Representation

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

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

The operating schedule which accompanies the application offers very little in terms of enforceable conditions. The conditions that have been offered are very vague and generic which gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.



Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	281030
Name of Premises	Achievable Community Services Ltd
Address	2 Empire Street, Manchester, M3 1JA

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) have assessed the likely impact of the grant of this Premises Licence 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 this application could lead to undermining the prevention of public nuisance as a licensing objective under the Licensing Act 2003.

The premises is not currently licensed and the applicant has requested the following:

Provision of regulated entertainment:

Sun to Thu 12 noon to 11pm, Fri to Sat 12 noon to 3am (Indoors)

12 noon on Christmas Eve to 3am on Christmas Day; 12 noon on New Year's Eve to 3am on New Year's Day; 12 noon on Valentine's Day to 3am the following day (Live music & recorded music).

12 noon on day before bank holidays to 3am on bank holidays (Anything similar).

The supply of alcohol for consumption on the premises only:

Sun to Thu 12 noon to 11pm, Fri to Sat 12 noon to 3am

Alcohol will be supplied on premises only when hired for use as a night club or cultural night. These will be limited to Fridays, Saturdays and public holidays.

Hours open to the public:

Sun to Thu 12 noon to 11pm, Fri to Sat 12 noon to 3am

Sunday opening only for pre-booked events.

The applicant has requested the above hours which includes the sale of alcohol and also the use of regulated entertainment until 03:00 am at a premises which is located within 10 minute walking distance of the city centre. The premises itself is situated just off Cheetham Hill Road, a main thoroughfare into the city centre and also faces the Green Quarter. This quiet area of Cheetham has recently seen a rise in the number of residential blocks being built and lived in, which in recent months have resulted in a large number of noise complaints from surrounding premises not managing noise breakouts when holding events.

The hours applied for by the applicant to operate as a nightclub are contradictory of those that have been granted for planning permission. This raises apprehensions that there is not sufficient sound proofing within the building to mitigate the concerns surrounding the escape of noise during the late hours applied for when being used to hold music events or to house a 'nightclub' as the applicant has stated to use the premises as on Fridays and Saturdays. There has been no detail given as to how the music would be played or how the noise levels will be monitored to ensure the public nuisance licensing objective is upheld. The applicant has offered the condition 'Noise levels emanating from the premises shall be controlled by management' however there is no mention of which noise they are referring to, how this noise will be controlled or managed and how this will be remedied. There has been no consideration given to this element of the application which LOOT would expect given the late terminal hours requested for these 'night club' nights.

The applicant has specified 03:00 as the intended finishing time for Fridays and Saturdays when the premises is operating as a 'night club' and have offered to 'give regular advice on guests dispersal'. However, the applicant has failed to detail who they will provide this advice to and how they intend to share this advice. LOOHT would expect a premises planning to operate as a nightclub that is requesting a terminal hour of 03:00 to provide a detailed dispersal policy or plan to show how they intend to manage not only the safe and orderly dispersal of the 350 patrons that will be attending but the noise from patrons leaving the venue or those who will be attempting to arrange transport to get home or onwards from the event.

The applicant has outlined that they plan to use SIA door supervisors but have not provided any further details how the decision will be made if SIA are needed. The applicant has not indicated what process will be followed to ensure the premises have come to the right decision to ensure the safety of the patrons attending the premises, i.e no referring to a risk assessment which specifies at what ratio SIA will be used. LOOHT would expect to see this detail given the premises could be expecting 350 patrons in an evening, to ensure the prevention of crime and disorder licensing objective is upheld.

The lack of detail in the application and consideration to the surrounding residential properties gives rise to the potential for noise nuisance. Given there has been no further detailed policies and a lack of enforceable conditions offered shows the little thought to these potential issues. Therefore, we would request that this application is refused.

Recommendation: Refuse Application

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Bernard	McMenamin	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Bernard.McMenamin@manchester.gov.uk	0161 234 1589	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 281030
Name of the Premises about which you would like to make a representation:
Achievable Community Services Ltd,
Address of the Premises (including postcode if known):
2 Empire Street, Manchester, M3 1JA

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Service has assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the prevention of children from harm.</p> <p>The applicant proposes the sale of alcohol for an events centre for African cultural events and nightclub. The applicant has offered very little to promote and uphold the licensing objectives, specifically the protection of children from harm. The conditions offered relate to Challenge 25. However, the applicant has not detailed what staff training would be given, how often it would be refreshed and if it will be documented. Although Challenge 25 is mentioned in the application to prevent entry to children when alcohol is served and when the premises is used as a nightclub, there has been no consideration given to acceptable forms of identification, the recording of refusals, or signage to promote an age verification to deter underage sales. The application submitted lacks any detail and gives concern that the applicant does not fully understand the importance of upholding the four licensing objectives.</p> <p>Manchester City Councils Statement of Licensing Policy MS12 <i>Prevent underage sales of alcohol, including proxy sales</i>, states that effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Examples given of this are details of what forms of ID are acceptable, the maintenance of refusal logs and staff training. MS12 continues stating that the licensing</p>

authorities preferred approach is a Challenge 25. This approach allows for a much stronger age verification policy as it is much easier for staff to distinguish if someone is 25 or older rather than 21. Documented staff training is also expected. It is clear that no consideration has been given to Manchester City Councils Statement of Licensing Policy.

Giving consideration to the above policy which clearly outlines expected measures to be taken at licensed premises and the conditions that the applicant has offered. The Trading Standards Service ask the application is refused.

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