

Premises Licence (new) application 282631/BJ1: Factory International, Water Street, Manchester, M3 4JQ, (Deansgate ward)

From: [REDACTED]

Sent: 07 December 2022 14:03

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Cc: [REDACTED]

Subject: Re: Premises Licence (new) application 282631/BJ1: Factory International, Water Street, Manchester, M3 4JQ, (Deansgate ward)

I am making a representation on behalf of the licensing authority as a responsible authority. On behalf of the Licensing Authority, I consider that it will be appropriate for the promotion of the licensing objectives for some elements of the proposed operating schedule to be updated:

1. Whilst we are keen to ensure there will be ongoing engagement between the premises and responsible authorities to measure operations at the venue, given the variety in the nature of operations, I would instead propose that the following condition is attached to the licence to replace condition A1:

An Event Review Meeting (ERM) shall be established by the Premises Licensing Holder which shall invite, at a minimum, the Responsible Authority Contacts, and North-West Ambulance Service and Greater Manchester Fire and Rescue Service to a meeting at least three times per year, to encourage information-sharing, collaboration and cohesion regarding matters pertinent to the promotion of the Licensing Objectives at the Premises. The Premises Licence shall have proper regard to advice received from the ERM.

2. Condition A11 (matters the Venue Operations Manual (VOM) must include) updated to include:
 - a Zone Ex Co-ordination Plan
 - Generic risk assessments for
 - the venue
 - the events (including any pre-event activities)
 - Event Management Plan template
 - Details of testing and exercises
 - A requirement that the findings of all event specific risk assessments will be included within the respective Event Management Plan
 - The 'Crisis Communication Plan' should be replaced with a more general 'Communications Plan'

The impact of large events is likely to extend beyond the footprint of the premises and so it is appropriate that there are effective co-ordination plans in place to deal with this. There needs to be generic risk assessments relevant to the operation of the venue as well as relevant event-specific risks to ensure appropriate operational measures are put in place.

It will be important to ensure that the venue has appropriate training and testing in place to ensure the effectiveness of contingency plans and that venue and event staff are trained to understand and perform their roles under those plans.

There will be communications-related considerations relevant to ensuring safe and secure general operations, and not just limited to crisis situations e.g:

LICENSING AUTHORITY

- a) Operational communications e.g. ensuring there are appropriate methods of communication provided, including ensuring all safety personnel and stewards are competent and suitably trained in the practice of good communications, with or without equipment
 - b) Pre-event communications with event attendees e.g. how the venue will communicate in advance on details such as prohibited items, searching and screening measures in place
 - c) Event-day communications e.g. how communications will be maintained through the event
 - d) Accessible communications - to ensure consideration is given to the needs of attendees and staff who have cognitive or sensory impairments
3. Confirmation that matters raised in line with condition C10 would be logged (in line with Event Log in VOM)
 4. The content of the plans/docs within the VOM is not defined and so there needs to be some indication of what guidance (or other documents) they will be based on.
 5. Finally, I would like confirmation on when such documentation will be prepared for presentation to the licensing authority and other responsible authorities.

Regards [REDACTED]

[REDACTED]

[REDACTED]

Objection Llicence Application Factory International

From: [REDACTED]
Sent: 07 December 2022 22:50
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: DRAFT Objection Llicence Application Factory International

To: Premises licensing

While I very much welcome the construction of The Factory as a major arts facility for the city and the region, I have to object to elements of the licence application and request curtailment of hours and the addition of conditions. Additionally, I would like to see, if available, either

- the grant of elements of this licence on a temporary basis
- OR the splitting of this application into two separate components
- AND some curtailment, with a greater use of TENs to provide flexibility

The Factory, now rebranded as Factory International, is under construction to provide a multi-million-pound multi-arts centre funded by MCC, the UK government and the Arts Council, and possibly commercial sponsorship.

It will put Manchester even more firmly on the map as a centre for Arts, for entertainment, for relaxation, for community engagement across the city, and for new, challenging ideas. Funded largely by the public purse, the investment is widely spread, within that public purse, and is seen as one which 'cannot be allowed to fail'.

Manchester International Festival, very much a child of MCC, started its performance life in 2007 as an international festival of new or different artistic work. The concept developed from the vision, historical and future, of Manchester as the 'original modern' city, and the idea underpinned the artistic development. Productions were wholly new or encompassed a new approach to existing work. Running for 18 days, every 2 years, MIF soon established its reputation and drew audiences from across the region, and from abroad, supplementing performance with community engagement. Criticised by some as elitist, it brought a wider range of people to the arts, and an arts-familiar audience to unfamiliar experiences.

I have been a huge supporter of MIF. I've been a volunteer at every festival since it started, a member for many years, and an audience member, both as a ticket buyer and a 'volunteer' preview or dress rehearsal audience attendee. MIF regards its volunteers as ambassadors for the festival, and for the city. So, it very much pains me to find myself objecting to key elements of this licence application.

The idea of a permanent home for such work, supported by national and local funding, has brought us Factory International, located on the former Granada Studios, set in what is now a mixed area of Manchester City Centre, with a high proportion of the neighbourhood housing residential accommodation, most of it over 20 years old, and some over 40 years

old. The demographic is mixed, but with a larger proportion of over-40s, and older groups, than much of the city centre, and a larger proportion of owner-occupiers too.

The location is close to tram and rail services, accessed by walking through residential areas, and there is a range of carparking facilities within a short walk. For almost all of the audience the final part of their journey will be on foot, past people's homes, unless picked up by taxis, private hire or friends and family. The road network is undergoing substantial change, with a number of roads being closed, narrowed or made one way. There is an expectation from the highways planners of increased walking and cycling. Some residents, already extensive city centre walkers, anticipate further traffic congestion and are concerned about the impact late hours at a large venue could bring.

On the other side of Liverpool Road sits Castlefield Arena, with its events offer. The Arena has an 8,000 outdoor capacity, and an 11,00pm curfew. Between 8-10 music gigs are held each summer. these are disruptive but are largely accepted as an important event in the Manchester calendar. There is some, but relatively little anti-social behaviour, and the noise is a problem for some residents, some of whom manage to take their holidays at dates to avoid the gig noise.

These gigs are usually held in early July, with the occasional June date. Local residents have asked MIF to avoid a clash. 8,00 at Castlefield Arena with 7,000 at Factory International would impose demands on the area that could not be easily met, without considerable further noise, disruption and congestion. This was 'promised' at one meeting. It has not happened, and the annual summer gigs are now booked, clashing with the dates for MIF 23.

This is just one example of the extent to which FI and MIF have yet to fully acquaint themselves with the local area, which I believe is an expectation within MCC's Licensing Policy.

The hours requested, including outside events, the capacity and the mix of certainty and uncertainty of the nature of events makes it difficult to assess the ability of the venue to uphold the licensing objectives. Even more uncertain is the possibility that with the expected fall in true disposable income and potentially serious cuts in arts funding, we could find this building in the hands of a large private operator aiming to maximise profits and holding large-scale late-night events with regular emphasis on alcohol sales.

Of particular concern are

Sale of alcohol until 4am: This late hour is becoming more common in the city. It is often associated with stand-up late-night drinking or night clubs, and many areas of the city where there is a concentration there are problems of disorder, noise, street urination and worse, crime including theft and violence. In fact, residents living in the vicinity of Factory International and often told GMP officers are unavailable for their area because they are dealing with more serious disturbance elsewhere: where the 4am licences are.

The applicants will argue that these premises will host a different audience. I expect that this will be largely true, but there are no operating conditions which guarantee that, and the

premises could well fall into different hands. A 4am licence would be attractive to some of the audience leaving the Castlefield gigs.

Sale of refreshment to 5am: I suspect this is offered to give a positive impression, but often this part of a licence is not used by late night bars, as there is little demand for it, and premises would prefer to direct their resources to more profitable activities, such as the sale of drinks.

While noise from these activities indoors would not be expected to break-out, the noise from patrons leaving the premises would disturb residents at distinctly unsocial hours.

Outdoors licence until midnight: At a few meetings with local residents the applicant has suggested this is the norm in Manchester City Centre. In fact the norm is 11pm.

Outdoor licence until 3am up to 36 nights per year [10% of a year]. This has now been reduced to 2am. The nights would be 'weekend' nights where the 'weekend' includes Thursday, Friday, Saturday and Sunday nights, and therefore until 3am on Fridays and Mondays. Three of these weekends would fall within the Festival dates, therefore up to 9 occurrences of a 3am finish over an 18-day period. On current timetables there would also be some overlap with Castlefield gigs, providing a ready audience, ready for a drink.

The movement of noise in the city centre is unusual and not always predictable. Noise which cannot be heard in adjacent streets at street level can often be heard from third floor and above. Noise bounces off hard surfaces, particularly as the length of buildings provides no escape route for the noise. MIF has held activities in Albert Square, more recently Cathedral Gardens, throughout its festivals since 2009. The atmosphere has been attractive, particularly in good weather, and many attend with any engagement in the arts events, but just to enjoy warm nights outside, drinking and eating, And chatting. Albert Square is not surrounded by residential properties.

There are three potential sources of noise from these events

1. Noise from the activities themselves.
2. Noise from people attending
3. Noise on leaving

We have been promised that residents will not be kept awake by outside activities, but MIF staff cannot tell us what these activities will be, though music will figure, and we have seen no estimate of the volume of noise created by people chatting. There is no way of controlling noise from people leaving and walking through residential areas at 3am.

We have known for some time that Factory international will host large scale music events. At one point 80 per year was mentioned, though I see no mention of it now. On another occasion we were told that music events would largely finish at 11pm, now we are hearing of maybe 1.30 for some music events. We have no idea how many, what type of music, what size of audience.

COUNCILLOR

it is clear that large scale music events are essential to the viability of the building. The frequency, timing and size is of concern because of the experience of Castlefield residents of the dispersal noise of 8-10 gigs per year.

The solution to coach travel is still uncertain. I here mention a planning issue. I am aware that planning and licensing are separate processes. However, I present it as an example of the uncertainty of what residents will face. The original plan for coach travel had to be adjusted at the planning stage because of the probability of disturbance to residents. A new proposal was agreed, but this has been partly overtaken by local highways changes. A new proposal was presented to councillors and then had to be withdrawn because it returned to the original problems.

In addition, MIF staff have argued that their events are not likely to require coaches, but at a recent meeting we heard of events pulling together a daytime corporate or educational audience, possibly arriving in coaches from around the region.

A large part of the concern of residents arises from the uncertainty of what is going to take place at FI. We have been given information about some events which will take place as part of MIF23, and these do not really cause major concerns. But we know that very different events will take place, and we don't have the information to judge their impact.

I therefore have to conclude that I am very concerned about the ability of the premises, should the full application be granted to prevent public nuisance in the form of serious and regular late hours disturbance and nuisance to residents living near to or on the route to the premises.

I would urge reduced hours, increased conditions, and, if possible, a temporary element to the licence with the option in future to change.

Please acknowledge receipt of this representation and inform me of the date of any hearing.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RESIDENT 1

Application number:282631/BJ1 - Factory International

From: [REDACTED]
Sent: 23 November 2022 10:42
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Application number:282631/BJ1 - Factory International

282631/BJ1
Factory International

[REDACTED] I recognise that the mixed residential / commercial nature of Manchester city centre demands some elements of compromise from all parties in terms of licensing.

However the application from Factory International includes provisions that can only damage the interests of the many residents in the areas immediately surrounding the venue, and degrade the area in terms of public nuisance, while offering only limited cultural enhancement to the area and to the wider city.

A particular concern is regular noise pollution and disturbance resulting from a 365-day, 20-hour licence to supply alcohol for consumption on and off premises until the early hours of the morning.

Late night access and egress of the public, outside consumption of alcohol, parking, traffic movement, additional policing all carry direct and indirect costs both to the city and to local residents.

In general, cultural events requiring alcohol to be served until 4am are uncommon. It is unclear why the applicants would require such an open, blanket provision for extended opening and the supply of alcohol if the aim is to satisfy the needs of occasional artistic and cultural late-night endeavours taking place at the venue.

Surely ad hoc permits for such events would be present a more reasonable solution.

Residents are largely inured to occasional disturbance as the cost of an urban environment, a cost to be set against the convenience and attraction of city-centre living. But it seems grossly unfair to introduce substantial change to that balance in favour of commercial interests offering limited cultural enhancement but with the propensity to cause significant nuisance.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

RE reference 282631/BJ1 Factory International

From: [REDACTED]
Sent: 23 November 2022 13:10
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: RE reference 282631/BJ1 Factory International

[Some people who received this message don't often get email from [REDACTED].
Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Premises licencing team,
I'm writing in response to the consultation for the above licence application.
I [REDACTED] have significant concerns over the granting of this licence.

It is unjustified to require a 24hr opening licence with supply of alcohol until 4am (5am late nights refreshments) for an arts venue.

The issue I hold is around noise, and the impact on local residents, of patrons (particularly intoxicated ones) leaving the venue in the early hours to obtain means of transportation home, and also the noise of outdoor events without restriction.

Events organised at the venue are in reality going to be organised well in advance. These events could therefore look to provision temporary licensing as and when needed. This would ensure that noise concerns may be proven to be unfounded and that the management of the venue is responsible and considerate of the local residents, and could then seek to apply for an extended licence if they deem it necessary.

This arts space is something I honestly welcome, but feel this application gives the management free rein and excessive flexibility without consideration of nearby communities.

Kind regards

[REDACTED]
[REDACTED]

RESIDENT 3

The Liars Club/ Factory ref 282775/HH1 (Re: 282631/BJ1)

From: [REDACTED]
Sent: 23 November 2022 09:41
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: The Liars Club/ Factory ref 282775/HH1

Dear Sirs

I [REDACTED] want to make my strong objections to the above licence application known. Whilst the operation of the venue during normal licence hours is welcome this variation, to give a 24 hour licence all year round is certain to disturb local residents and any reasonable need for occasional late night events could be more appropriately dealt with by temporary licence applications, safeguarding residents interests. These concerns are greatly enhanced when the proposed operating plan (which does not form part of the application is considered).

The headlines of the application as i understand them are requests to have:

- a 24 hour operating licence
- a 20 hour alcohol licence (serving between 8am until 4am)
- a food licence that can operate until 5am

Its clear that the management of the Factory clearly have ambitions for the premises to operate as a late night venue and similar licences in the area have caused significant disruption such that they have not been renewed.

Whilst accepting that there may be certain occassional events that may need to take place in the middle of the night, these are hopefully extremely rare. The demand and economics of such late night artistic events is such that they would not be undertaken often and the lead time to such an event would always allow ample time for a temporary late-night alcohol/ premises licence to be obtained.

It would be completely unacceptable to local residents for the premises to be used for regular late night club events (dancing and partying until the very early hours) or even late-night corporate events. In all circumstances, the exiting of attendees from these events at 4am (after alcohol has been consumed) will clearly be very noisy and cause a disturbance to residential neighbours.

The operating schedule for the venue suggests that:

- an event management plan need only be created if there are over 3000 people in attendance
- for 12 weekends a year, the factory may operate outside the building until 3am
- a weekend comprises Friday, Saturday, Sunday, and Monday.

Outside events at 3am will clearly generate very significant and unacceptable noise levels.

Please note, I welcome the Factory and the enhancement to the arts offering in the city but I don't welcome a building for parties and large capacity club nights that decant drunk people outside my door at 4am, 365 days a year. I do hope you will weigh the interests of local residents heavily in these considerations

Yours

[REDACTED]
[REDACTED]

RESIDENT 4

Re Factory application

From: [REDACTED]
Sent: 23 November 2022 17:26
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Re Factory application

Hi,

[REDACTED]

I'm aware of the application to increase trading hours to serve alcohol along with food and outside areas at certain times of the year.

I appreciate this is a great new addition to the city, but I was under the impression this would be arts venue and not a large night club.

Given the noise that we already encounter along with drunken people walking into the complex to urinate or take a drug given its enclosed doorways, I strongly agree to any changes to the current license issued ..

We also currently have an exit directory from the factory through our complex which the public would use to travel back to hotels, taxis, trains or continue drinking.

Please except this has my formal objection to the application changes.

[REDACTED]

Kind regards

[REDACTED]

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Factory Licence

From: [REDACTED]
Sent: 23 November 2022 19:37
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Factory Licence

Dear Sirs,

I understand that the new Factory Arts centre is applying for a 24 hour 365 days per year licence with an alcohol licence until 4am. I wish to object to the application.

[REDACTED] It is clear that the public will be leaving and arriving via Lower Byrom Street [REDACTED]. Presently I am already disturbed at weekends and during the week by the noise of people singing shouting and talking loudly as they walk home after a night out, this will often take place after 2.00 am and if the Factory has a late licence this will Become more regular.

The fear is that the licence will allow the venue to become a late night club night along the lines of The Warehouse Project. As the Factory is entirely within a residential area, it will be completely unacceptable and inconvenient . Late night venues should be situated away from residential areas. I trust my objection will be taken into account.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

Reference: 282631/BJ1 - Objection to Licensing Application

From: [REDACTED]
Sent: 24 November 2022 18:41
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
[REDACTED]

Subject: Reference: 282631/BJ1 - Objection to Licensing Application

To the Manchester Licensing Team,

Reference: 282631/BJ1

I want to highlight my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ. With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

The prevention of crime and disorder

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend into St Johns and the Factory given the close proximity to a high density residential setting.

Public safety

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue this size to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

The prevention of public nuisance

Approving the licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500+ residents of Rossetti Place, Bauhaus, and Porchfield Square completely undermines this licensing objective.

Please note, I welcome the Factory and the enhancement to the arts offering it will bring to the city. However I would be grateful if you could please take my concerns in to account and reject the licensing application, or at least curtail the hours for which any licence is granted. 10pm would seem more reasonable, given it would still take several hours for such a large number of customers to disperse safely from the local area. The quality of life and amenity of 500+ residents is at stake with this licensing request.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Reference: 282631/BJ1 - Objection to Licensing Application

From: [REDACTED]

Sent: 24 November 2022 19:06

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Cc: [REDACTED]
[REDACTED]

Subject: Reference: 282631/BJ1 - Objection to Licensing Application

To the Manchester Licensing Team,

Reference: 282631/BJ1

I wish to make known my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ. With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

The prevention of crime and disorder

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours of the morning would inevitably increase antisocial behaviour and invite crime and disorder in the nearby surrounding area. Residents living close to this location such as myself have first-hand experience of this ever growing problem in and around close by in Spinningfields and Castlefield, and it should not be allowed to extend into St Johns and the Factory given the close proximity to high density residential settings.

Public safety

Approving the licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young and also the elderly and frail. It is not appropriate for a venue this size to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

The prevention of public nuisance

Approving the licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500- 1000+ residents of Rossetti Place, Bauhaus, and Porchfield Square alone plus along with the other residential areas on Liverpool Rd/Castlefield completely undermines this licensing objective.

Kindest regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Objection Reference: 282631/BJ1

From: [REDACTED]

Sent: 27 November 2022 09:45

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Subject: Objection Reference: 282631/BJ1

To the Manchester Licensing Team,

Reference: 282631/BJ1

I want to highlight my objection to the licensing application by Manchester International Festival for the serving of alcohol until 4am and the provision of music 24hrs a day at the following address: Factory International, Water Street, Manchester, M3 4JQ

With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

*** The prevention of crime and disorder**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend into St Johns and the Factory given the close proximity to a high density residential setting.

***Public safety**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue to serve alcohol until 4am and play music 24hrs a day when families are trying to go about their daily lives on the adjacent road of Lower Byrom Street.

*** The prevention of public nuisance**

Approving this licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in the more social areas of the city centre, but the noise, litter and disruption that would impact on the 500+ residents of Rossetti Place, Bauhaus, and Porchfield Square completely undermines the licensing objective.

I would be grateful if you could please take my concerns into account and reject the licensing application, or at least curtail the hours for which any licence is granted. The quality of life and amenity of 500+ residents is at stake with this licensing request. Please note, I welcome the Factory and the enhancement to the arts offering in the city. I am looking forward to attending some of the events it will host. However, I don't welcome a building for parties and large capacity club nights that can decant drunk people at 4am, 365 days a year (which is what the current licence proposal allows for).

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]

Licensing Application 282631/BJ1

From: [REDACTED]
Sent: 28 November 2022 12:04
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Licensing Application 282631/BJ1

Dear Sirs

Licensing Application: 282631/BJ1
Premises: Factory International, Water Street, Manchester M3 4JQ
Applicant: Manchester International Festival

The above application is incompatible with the four stated objectives under the Licensing Act 2003. It seeks the Licensing Committee to grant a license for the premises to operate as an entertainment venue 365 days per year for 24 hours each day, with food served until 5am Monday to Sunday and the supply of alcohol both on and off the premises until 4am Monday to Sunday.

The Committee has to take notice of the Guidance under the Act at s182 paras 2.15 to 2.21 in regard to public nuisance. It is clear from this application (Operating Schedule item 1 and item 12) that noise nuisance will inevitably affect adjacent residential areas because of the hours of opening and the sale of alcohol both on and off the premises. The Committee should also refer to *London Borough of Tower Hamlets v Ashburn Estates Ltd (t/a the Troxy) [2011] EWHC 3504 (admin) para 13*.

The Operating Schedule provided (attached) makes clear that residents will be disturbed by noise nuisance at unreasonable hours given that alcohol is being served until 5am 365 days per year. Many residents may have to go to work and have their sleep disturbed. Children need to sleep before going to school. It seems inconsistent on the one hand for the Planning Department to encourage residential development and in particular residential development for families, whilst the Licensing Committee is being asked to grant a 5am license at adjacent locations.

The Operating Schedule makes no mention of how the egress of the 7,500 capacity venue is to be managed to minimise disruption through adjacent residential areas and in particular how the private walkway of Culvercliff Walk will not be overwhelmed.

The three other objectives should be covered by the responsible authorities, but I would urge the Committee to seek assurance from the Chief Constable of Police that GMP will be able to police the venue when 7,500 capacity is being discharged at 5am and I would also ask the Committee to restrict the sale of alcohol to on premises and limited to reasonable hours not beyond 11pm. On occasions when a later licence might be appropriate, the venue can always make a temporary application on a case-by-case basis until the impact of the opening of the venue on the adjacent areas has been ascertained.

It has come to my attention via an email [REDACTED] dated 23 November 2022 that an "informal consultation" has been organised for "Tuesday at 2pm". However, I have not received any written invitation to such consultation. The Committee should be made aware of the lack of engagement with the affected adjacent residential areas and are asked to any outcomes of such "consultation" in that light.

RESIDENT 9

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

.....

From: [REDACTED]

Sent: 29 November 2022 09:32

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Subject: Re: Licensing Application 282631/BJ1

I am [REDACTED] a resident.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Application number 282631/BJ1 The Factory

Dear Sirs,

I understand from representatives of applicants that they have disclosed to the Council a venue operations manual parts of which they expect to be incorporated in their licences by way of conditions.

I wish to object to the grant of a 20 hour alcohol licence to the Factory event venue on the which is too long and broad in my submission. The licence should only allow the serving and sale of alcohol between the hours of 8am and 2am, a total of 18 hours maximum.

The present proposal seriously affects the prevention of disorder by

- 1.unfairly avoiding the safeguards of an application for a temporary licence on the planning of an event taking place in the hours from 2am to 6am daily;
2. unfairly allowing usage which will not accord with the general approach and policy of the licensing committee about late night venues;
- 3 giving an unfair advantage for late night corporate events and parties in competition with other catering and event spaces and offering the opportunity to persons already affected by alcohol to congregate at the venue;

All of which contribute to drunkenness, criminal damage, drug taking, drug dealing and violence

The present proposals seriously affect the prevention of a public nuisance by way of noise levels within a short distance of residences by :-

1. promoting noise after 2am which is disruptive to sleep by allowing the congregation of numbers of people outside the venue in the early hours; 2am is the latest time that the use of outside spaces should be allowed; It is not only music and loudspeaker announcements which are disruptive in the early hours. Congregations of a number of people talking to each other are intrusive. Even small numbers of people laughing and talking at an otherwise normal level carries a long way.
2. setting far too great a minimum [3000] for reporting to the local authority /police / out of hours team etcetera.

3 giving an inadequate notice period of 14 days when they intend to trade outside. Notice of at least 8 weeks is reasonable and necessary. The proposed periods do not allow for the proper consideration by the licensing committee. If there are artistic endeavours which require operating in the early hours they are likely to cause a nuisance to local residents and should be scrutinised by councillors who are in touch with their constituents and who can impose conditions appropriate to the event. Alcohol consumption in the early hours is unnecessary and tends to promote noise.

These proposals would result in a risk of a shifting population in otherwise established residential areas and blocks in the immediate vicinity with long term residents [REDACTED] [REDACTED] to a rapidly changing population which is undesirable. It would also reduce the attractiveness to families with children, who need sleep.

Yours faithfully

[REDACTED]

The Factory - Ref 282631/BJ1

From: [REDACTED]
Sent: 06 December 2022 22:43
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: The Factory - Ref 282631/BJ1

I write in relation to the licence request by the Factory.

The Factory building is being constructed in a residential area. It is bordered by residential properties, hotel and offices. There are no premises in the vicinity that operate to a late hour and serve alcohol. I object to the proposed operating and Alcohol licence in its current form as it will disturb the area and present a threat to the safety of residents.

The specific terms objected to are: serving of alcohol for 20 hours per day, with the right to serve alcohol until 4am. The number of hours is excessive and the finish time is too late. The serving of alcohol at this late hour is usually only permitted in nightclubs that are in designated area. This is a residential area and customers leaving the factory at 4am after consuming alcohol until this late hour will threaten residents

Serving until 4am will mean that drinker will move from other venues that close at 2am to this location to continue drinking. This will be creating a destination late night drinking venue in a residential area. Operating outside until 3am for long weekends (Fri, Sat, Sun & Mon). Noise will echo around the area and will disturb residents in neighbouring buildings

The concept of building the factory was presented as creating an artistic and cultural venue. For this reason, it was deemed acceptable to be in a residential area.
Theatres and other cultural venues close before 11pm and their patrons are clear by 11am.

The factory is seeking an operating licence that is akin to that of a nightclub rather than a cultural venue. It is in the wrong location, with inadequate provisions to safeguard residents when opening these late hours.

Thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Factory International - Licence application ref. 282631/BJ1

From: [REDACTED]
Sent: 06 December 2022 17:57
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Factory International - Licence application ref. 282631/BJ1

I wish to comment on the Factory Premises Licence, application reference 282631/BJ1.

I believe it is excessive and inappropriate as the late hours, external events, sale of alcohol into the early morning and large crowds entering and leaving the venue in the late night and early morning will cause a public nuisance.

[REDACTED] I look forward to the venue opening and operating successfully. However, the licence application as currently written is not appropriate as no case has been made that such wide ranging and long hours are necessary or proportionate for an arts centre of this type.

I [REDACTED] received an invite to a Residents drop-in which I attended on Thursday 6th October. This event combined an exploration of potential future programming with an explanation of why the application was being made for 24-hour licensing.

Unfortunately it seemed to me that the Factory representatives had no clear explanation for why they needed any 24-hour licenses other than it may occasionally be appropriate to have an art event or installation that was open all day and all night, either to meet a specific artistic aim or to manage demand for tickets where customers would be so keen to see e.g. a visiting exhibit that they would be willing to purchase tickets for a slot between midnight and 8am.

I did not find this explanation at all convincing and I agreed with other residents present who asked why it would not be a relatively simple matter for the Factory to apply for temporary extended licenses only when required. I agreed with other residents who suggested that the Factory could quite reasonably apply for extended operating hours during the period of the Manchester International Festival, as this would be a relatively trivial matter to plan for against the backdrop of everything else connected to MiF. Any negative impacts on the local community from MiF events would naturally end when the festival ended.

Factory representatives told the meeting that they had listened to the points that had been clearly stated by residents and that they would need to go back to consider them and to reflect them when the final licence application was submitted. Unfortunately, this does not seem to have happened, which undermines my confidence in the Factory to deliver any of the mitigations that they are promising to deliver as a considerate neighbour.

In summary, I object to the 24-hour operation, provision of late-night refreshment to 5am and sale of alcohol to 4am being granted up front with no time limit when there is no clear link between these measures and the operation of a successful arts centre.

The application should be refused and resubmitted with more limited and specific hours of operation.

Many thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Consultation and Comments MIF Factory Arts Centre Licensing

From: [REDACTED]
Sent: 07 December 2022 13:17
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
[REDACTED]

Subject: Consultation and Comments MIF Factory Arts Centre Licensing

To whom it may concern,

We [REDACTED] wanted to write to you about the proposed licensable hours. Unfortunately we were not informed of the consultation in early October, and we were on holiday during the informal briefing on Tuesday 29th November so could not attend.

While we support and look forward to the completion of the Factory Arts centre and the events and artists it will bring to the city on a regular basis, as local residence we have a number of concerns. These concerns are around the impact the proposed licensing hours would have on crime and disorder, public nuisance and quality of life for ourselves as local residences. Our concerns are as follows:

Crime and Disorder

- During yearly events at Castlefield bowl (Sounds from the City) which finish at 10:30pm we get people urinating in our doorway as they make their way home. While Sounds from the City is once a year, our concern is that this sort of disorder will become more frequent. If alcohol is serviced into the earlier hours of the morning when it is quieter, there are less people round which might otherwise persuade people not to engage in such antisocial behaviour.
- The supply of alcohol until 4am could lead to increased crime and disorder. In other areas of Manchester where licenses have been granted until the early hours there has been an increase in recorded crime and disorder, usually physical crime.

Public Nuisance

- The supply of alcohol until 4am could lead to increased public nuisance. In Hulme recently a late license approval for alcohol has resulted in increased cases of public nuisance and the disturbance to local residences. As a result Greater Manchester Police recommended refusing a further application on grounds it would further exacerbate anti-social behaviour. Why would this situation be different?
- The properties [REDACTED] were built to the regulations of their time (1993), as such sound insulation is poor by today's building standards. During the early hours of the morning when groups congregate along Potato Wharf, [REDACTED] or sections of Liverpool Road [REDACTED] you can hear the noise as though they were in your own flat. The proposed late licence could cause a disturbance to local residences who are trying to sleep. If large groups of people are going past in the early hours it's sure to wake up people [REDACTED] who are sleeping ahead of a day of work.

The above have an impact on the quality of life of residence in close proximity of the area of the Factory Arts centre. The noise act of 1996 addresses excessive noise between the hours of 23:00 and 7:00. The concern for people living in [REDACTED] which has poor sound insulation is that residents will be subjected to excessive noise on a regular basis between these times. This sort of anti-social behaviour will only be exacerbated by late alcohol licensing. Having looked at the activities included in the provision for regulated entertainment we are struggling to understand why such a late license is required? Plays, films, indoor sporting events, boxing or wrestling entertainment, live music, performance of dance are all likely to finish by 10:30 – 11:00 pm if not earlier. We guess that the late license is then in regard to recorded music events?

Kind Regards,

[REDACTED]

Make representation to a licensing or gambling application

From: webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>

Sent: 07 December 2022 19:43

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Subject: Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	
<i>Last name:</i>	
<i>Building number or name:</i>	
<i>Street:</i>	
<i>Area:</i>	
<i>Postcode:</i>	
<i>Email :</i>	
<i>Application reference number:</i>	282631/BJ1
<i>Premises name (if known) and full address this representation relates to:</i>	The Factory
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	<p>Just a reminder that this is a conservation area, and there are a number of apartment buildings. People leaving The Factory would go towards Liverpool Road to get towards Deansgate and the tram stop, and they tend to be quite loud as they have just left a loud music venue. Another concern is about where are they going to park their cars.</p> <p>Between the Castlefield Bowl (and all the strange things happening in there) and now The Factory I think is becoming a joke to continue calling it a conservation area.</p> <p>Hope someone, the police or the city council, will start taking seriously the noise complaints</p>

Factory International License Application

From: [REDACTED]
Sent: 07 December 2022 21:16
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Factory International License Application

Reference: 282631/BJ1

Premises: Factory International, Water Street, Manchester, M3 4JQ

I object to the above license application on the grounds that the the supply of alcohol for consumption both on and off the premises to take place indoors and outdoors Mon to Sun up to 4am will lead to greatly increased levels of noise and disturbance in the surrounding residential areas which are already blighted by unacceptable levels of late night anti-social behaviour emanating from existing entertainment venues in the St.Johns, Castlefield and Deansgate areas.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The Factory. Licence application Ref 282631/BJ1

From: [REDACTED]

Sent: 07 December 2022 19:15

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Subject: The Factory. Licence application Ref 282631/BJ1

Good evening,

We have been made aware of the licence application to allow 24 hour opening of the Factory site, including alcohol available to 4am and other refreshments to 5am.

The request includes outdoor events up to midnight, with the exception of 36 nights until 3am per year. Running over 12 weekends, this allocates each weekend as 3 days either Thursday to Saturday or Friday to Monday.

We [REDACTED] appreciate living in the city we should expect some noise, however currently local restaurants are only open until 11/12 and the Castlefield bowl has a curfew of a similar time. We experience a lot of issues with illegal parking, crowds visiting restaurants/events blocking the pavement and noise from customers who possibly don't realise(or care) that this is a residential area where a range of ages live including very young children.

We are excited by the prospect of what the Factory will bring to our city, we are however concerned that in granting these generous licensing hours (& unprecedented for a residential area) we will see an increase in unsociable behaviour as people enter and leave the Factory for late night/early hours events. While we expect there will be security around the Factory this will not assist crowd management as it disperses through the residential areas with many likely arranging taxi collections on Liverpool Road.

We would hope that you will consider the impact that such long licencing hours will have our enjoyment of our home and also the potential harm this could have to property market value should unsociable activity continue/increase. We would appreciate far earlier finishing times and a promise of additional security patrolling the length of Liverpool road to Deansgate along with strict parking/pick up/drop off regulations enforced. It is unfair to leave this responsibility to the local police force.

It would also be appreciated if the Factory could consider the impact such a large event space will have on local residents and we would hope that they will be looking to offer local residents a form of concessionary ticket discount as compensation.

Many thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Factory International ref 282631/BJ1

From: [REDACTED]
Sent: 07 December 2022 16:52
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Factory International ref 282631/BJ1

Dear Sirs,

[REDACTED]
[REDACTED] I object to the licence application currently proposed by the Factory for the following reasons:

- The licence application is for the supply of alcohol for consumption both on and off the premises on each and every day until 4am and the provision of late-night refreshment until 5am. These are not the licensing provisions for any other arts venue in the city and it is difficult to understand why this particular venue should require such a licence. When asked in a consultation meeting what sort of events warranted such a licence, the two options given were if an exhibition proved so popular there was sufficient demand to open until 5am, and the other option was a private event such as a gig after-hours party. Firstly, having been to hundreds of exhibitions over the years I've never thought that such a visit went hand in hand with the consumption of alcohol. And secondly, such private events as gig after-hours parties would not be welcome. At such events, guests often arrive intoxicated, and leave several hours later much the worse for wear. Frankly I'm surprised that this is the level that the Factory is aiming at. I fear that the current level of noise disturbance and antisocial behaviour that we already experience [REDACTED] would be made worse by guests leaving such events, potentially after 5am. Taxis with engines running waiting for fares (which is very common) completely goes against the City's clean air policy.
- There is a separate issue with regard to outside events, when on 12 weekends a year (and apparently a weekend comprises Thursday, Friday, Saturday and Sunday) alcohol would be sold until 3am. Examples have been quoted of the Manchester International Hub which was held in Albert Square which will now be held outside the Factory. The obvious difference in the two areas is that very few people live near Albert Square whereas several thousand live near the Factory! There would inevitably be unacceptable noise if music were played and attendees were drinking and making merry. As far as I am aware events at the MIF Hub finished at midnight - why is a change necessary? In a separate communication, (following a consultation meeting on 29 November 2022), [REDACTED] suggested different times of operation with regard to the provision of alcohol; one of which is that on the "exception weekends" the finish time would be 2am. This would obviously be more welcome than 3am but I still think outdoor events in the city should finish at midnight. The number of events held in Castlefield Arena have significantly increased over time and they finish at 10.30pm midweek and 11pm at weekends - why should the Factory be any different?
- If the proposed licence is granted it sets a dangerous precedent within the city - once one venue has such a licence, it will be difficult to justify rejecting applications from other such venues.

I hope you will give my objection due consideration. It was suggested at the consultation meeting that to apply for "late" licences for occasional events would be too time consuming. May I suggest that this argument is weak, and should not be a reason to grant the extended licence that the Factory is applying for?

[REDACTED]