



Licensing & Out of Hours Compliance Team - Representation

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Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
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Premise Details

Application Ref No	284076
Name of Premises	New Wave
Address	16 Tib Lane, Manchester, M2 4JB

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 (LOOH) have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the business, size of the premise and the ability to uphold the four licensing objectives.

The premises is located on Tib Lane close to Albert Square. The surrounding area is a mix of commercial properties including, restaurants, licensed premises and offices. Given this LOOH team are not satisfied the application has offered any mitigation for noise nuisance generated from the live music events being held at the premises.

Albert Square itself is often used as an event space and includes events such as memorial services, seasonal events and sporting events often aimed at families (although the Square along with the Town Hall is currently closed for restoration works). The application has not provided any details on how the premises intends manage the increased footfall during such events; the LOOH team have concerns on how the premises would manage patrons purchasing alcoholic drinks from premise and moving out of the premises and/or delineated areas to consume their drinks in the street which would be in contravention of the Councils Public Space Protection Order (PSPO).

The application has requested off sales for alcohol; nothing has been offered in relation to collections/deliveries. With the increased demand for home delivery of restaurant quality food and alcohol there has been an increased number of delivery drivers operating in the City Centre, often blocking road and footpaths while waiting to collect their orders.

The application has only provided a condition in relation to noise in respect of public nuisance; Bow Lane is at the rear of the premises often has problems with waste and bins with attract vermin to the area, examples can be seen in **exhibit AO1**.

After consulting the Councils Planning online portal it appears that under planning consent number 113803/FO/2016, the premises can not be currently operate in the manner requested in this application and LOOH would recommend they seek advise from our Planning team.

We therefore recommend that in order to prevent the problems described above the following amendments to the hours and conditions should be attached to the Premises Licence, if granted:

- The Designated Premises Supervisor must complete the ACT: Awareness training and ACT: Operational or ACT: Strategic training course within 28 days of the grant or variation of the licence. Should the Designated Premises Supervisor named on the licence change, the new Designated Premises Supervisor must complete those courses within 28 days of being named on the licence.
- Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
 - (i) Size of the venue
 - (ii) Expected attendance
 - (iii) Type of event taking place
 - (iv) Location of the premises
 - (v) Time of year
 - (vi) Special occasion (New Year, Halloween, Local events etc.)
 - (vii) Premises Licence Conditions
- All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear high visibility armbands.
- The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
- Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty
- The premises shall actively manage by way of instruction, any third-party delivery drivers attending the premises to collect orders for delivery in order to prevent any nuisance or disruption. This will include ensuring that the public walkway is maintained free from obstruction.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
- Customers will not be permitted to remove from the premises any alcoholic drinks in open containers, except for consumption in any delineated external area in line with the permitted hours and conditions of either a Table & Chairs

or Pavement Licence.

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance and regular monitoring shall be carried out to ensure that music cannot be heard at the nearest noise sensitive premises.
- At regular intervals outside the premises (front & rear) must be swept and/or washed, and litter and sweepings collected.
- Empty bottles which have been collected must be placed into locked bins when deposited outside.
- Between the hours of 23:00 – 07:00 no waste/glass bottles will be moved or deposited outside.

We believe this amendment to the condition is proportionate and appropriate to prevent the problems described and to ensure that the licensing objectives are upheld.

In the event the application goes through to a hearing, I reserve the right to include additional information to support my application.

Recommendation: Approve with Conditions (Outlined Above)

EXHIBIT A01



EXHIBIT A01



EXHIBIT AO1

