

GMP

From: [REDACTED]
Sent: 22 February 2023 21:04
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
[REDACTED]

Subject: RE: Premises Licence (new) application 285058/AM2: Mean Eyed Cat Bar, Basement and Ground floor, 60 Oldham Street, Manchester, M4 1LE, (Piccadilly ward)

I wish to object to the application which is in consultation until midnight of 23/02/2023.

There is no reference to door staff when working having body worn video cameras.

- *At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behaviour.*

This will greatly assist in

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance.

The closing times are not in line with the other licenced premises in this highly residential built up area.

- Sunday – Thursday to close at 03:00hrs instead of 03:30hrs and last drink orders at 02:30hrs
- Friday & Saturday to close at 04:00hrs instead of 04:30hrs and last drink orders at 03:30hrs

There is far too many conditions that the establishment have submitted and therefore a lot needs to be taken out, for example 29 C *“Entry shall be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour, or the use or distribution of illegal substances.”*

I am unsure just how exactly the DPS is going to fulfil this requirement.

Point 37 pg 18. *“The outside Area will not be used after 00:00hrs (midnight) and external furniture will be away by 00:00hrs (midnight) daily.”*

This will need to be under the tables and chairs licence and also will the premises have any space for the tables and chairs to go into at midnight whilst the premises is occupied.

Thanks

PC 13795 [REDACTED]
Licensing Officer
The Northern Quarter, Printworks, Commercial
Deansgate & Spinningfields
Town Hall
Lloyd Street

From: [REDACTED]
Sent: 01 March 2023 12:06
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; [REDACTED]
<[REDACTED]>
Cc: [REDACTED]
Subject: RE: Premises Licence (new) application 285058/AM2: Mean Eyed Cat Bar, Basement and Ground floor, 60 Oldham Street, Manchester, M4 1LE, (Piccadilly ward)

Dear [REDACTED]

Thank you for your representation.

My client agrees to:

1. The following condition:

“When door staff are employed at the premises, at least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behaviour”.

2. The change of hours as requested, namely:

Sunday – Thursday to close at 03:00hrs instead of 03:30hrs and last drink orders at 02:30hrs

Friday & Saturday to close at 04:00hrs instead of 04:30hrs and last drink orders at 03:30hrs

3. A pavement licence will be applied for and my client has confirmed there is storage for the table and chairs.

Based on the above, can you please confirm that you can withdraw your representation.

So that you are aware, my client has agreed further conditions with EH, I will circulate a revised operating schedule, hopefully by the end of the week that incorporates the above changes and EH's.

I have copied in the Council for ease.

Many thanks

[REDACTED]

[REDACTED]



Licensing & Out of Hours Compliance Team - Representation

Name	Jonathon Mathers
Job Title	Licensing Out of Hours Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details

Application Ref No	M/285058
Name of Premises	Mean Eyed Cat Bar
Address	60 Oldham Street, Manchester, M4 1LE

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 (LOOH) team have assessed the likely impact of the grant of this application considering several factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to undermining the four licensing objectives.

In making this representation, the LOOH team have also considered Manchester City Council's Statement of Licensing policy, in particular S7.25 & S7.26 regarding how the proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance should be considered when applications are made for Licensable activity:

S7.25 *Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.*

S7.26 *Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:*

– *Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise*

- *Prevention of noise disturbance from people entering and leaving the premises (e.g. queue management, dispersal policy)*
- *Prevention of disturbance by people outside the premises (eg. smoking areas)*
- *Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)*
- *Disturbance caused by deliveries associated with licensable activities, including waste collection*

The premises is situated at 60 Oldham Street in the city centre. Residential units exist directly above the premises on floors 1 & 2 with additional residential premises adjacent at 60A Oldham Street and directly across the road from the premises at 99 Oldham Street.

Several licensed premises operate within this area of Oldham Street with the latest closing time in this area being 04.00am. Having reviewed the opening hours offered by the applicant, Licensing Out of Hours request that the premises opening hours are changed from:

Sunday – Thursday – *03:30am – 03:00am*
&
Friday – Saturday – *04.30am – 04.00am.*

These hours reflect the licensed hours of surrounding premises, therefore allowing for a controlled dispersal of patrons within the premises and surrounding area.

Furthermore, having reviewed conditions offered by the applicant, officers are not fully satisfied that the conditions offered are sufficient to uphold the four licensing objectives. LOOH therefore recommend the following conditions should be attached to the Premises licence (this includes rewritten conditions offered by the applicant)

A.) The Prevention of Crime and Disorder

The applicant has proposed the following conditions under this objective:

Conditions 1 – 15 all relate to the implementation and operating of CCTV at the premises.

I propose for **conditions 1-15** offered by the applicant to be removed and replaced with the following:

- *The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points shall be covered by this CCTV system (Excluding Toilets). CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 30 days with the date and time stamping.*

- *A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e., compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided*
- *The CCTV system is to be fitted with security functions to prevent recordings being tampered with, i.e., password protected.*

In addition to the above changes, I request that **conditions 24-26** offered by the applicant as part of this application are removed and replaced with the following condition:

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months and made available on request to the Police or an authorised officer of the licensing authority. This incident log will record the following incidents including pertinent details of:

- A. all crimes reported to the venue, or by the venue to the Police*
- B. all ejections of patrons (date, time of incident recorded)*
- C. any incidents of disorder (date, time of incident recorded)*
- D. any faults in the CCTV system, searching equipment or scanning equipment*
- E. any seizures of drugs, offensive weapons, fraudulent ID or other items*
- F. any visit by a relevant authority or emergency service*

In addition to the above changes, I request that **condition 29** offered by the applicant as part of this application is removed and replaced with the following conditions:

- *Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.*

D.) The Prevention of Public Nuisance

The applicant has proposed the following conditions as part of their application under this objective:

Conditions 54 *'The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.'*

I propose for the condition above which has been proposed by the applicant as part of their application is reworded as follows:

- *The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.*

Furthermore, I propose the following conditions to be added to premises licence to ensure the licence is fit for purpose:

- At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. In addition, a minimum of 1 on-duty manager and any on-duty security supervisor/manager must also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.
- The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.
- There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
- Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Manchester City Council.
- The premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', 'Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them must be understood by those carrying them out:

Guide – Direct people towards the most appropriate location (in vacu-ation, evacuation, hide)

Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours

Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

- All staff authorised to sell alcohol shall be trained in:
 - (i) Relevant age restrictions in respect of products (Challenge 25)
 - (ii) Preventing underage sales
 - (iii) Preventing proxy sales
 - (iv) Maintaining the refusals log
 - (v) Recognising signs of drunkenness and vulnerability
 - (vi) How to refuse service
 - (vii) dealing with situations involving vulnerable people, and incidents of harassment
- 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.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The log will be available on request by the police or an authorised officer of Manchester City Council.
- Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
- Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

- Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
- All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.

LOOH believe these conditions are proportionate and necessary to uphold the four licensing objectives.

Recommendation: **Approve with Conditions (Outlined Above)**

From: [REDACTED]
Sent: 01 March 2023 11:56
To: [REDACTED]
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: 60 Oldham Street, Northern Quarter, Manchester, M4 1LE - Agreement to EH Conditions

Hi Jonathan,

Thank you for your representation.

My client is happy to agree to these. i.e. the changes to the hours and the amendments and additions to the conditions.

I will circulate a consolidated revised operating schedule by the end of this week, so that it is clearer for the committee.

Could I please ask that you know withdraw your representation, the Council are copied in for ease.

Many thanks

[REDACTED]

[REDACTED]

RES1

From: [REDACTED]

Sent: 23 February 2023 17:04

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

Subject: Representation Against 60 Oldham Street Licence Application

To whom it may concern,

I'm writing to express my deepest concerns and objection to the Premises Licence application for Mean Eyed Cat Bar at 60 Oldham Street, Manchester, M4 1LE.

[REDACTED]

The license application allows for the playing of live and recorded music between 11.00pm and 4.00am. Being in such close proximity [REDACTED]s, the playing of music until 4.00am will create a statutory noise nuisance and prevent residents from sleeping, which can exacerbate and/or cause other physical and mental issues. I believe that such a public nuisance would be in contradiction of the licensing objectives.

I am also extremely concerned about noise and nuisance from the street or outside seating where customers of the venue could be loitering, drunk, fighting, smoking and any other anti-social behaviours associated with venues with late-night and alcohol licenses.

During warmer periods, it is necessary to keep windows open 24 hours a day to stop many of these [REDACTED], so any on-street noise will have even more of a disruptive effect than in cooler periods, when windows may be closed.

Manchester City Council's Statement of Licensing Policy 2021–2026, Interim Review 2021–2022, April 2021 (page 44, para 7.33) states that the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility. Tolerable levels have previously been breached with restful sleep impossible on occasions. Given the fact that the flats have been here for over 17 years, the wellbeing and quality of life of the residents deserve priority.

It would be much appreciated if you would please acknowledge receipt of this email and keep me informed of any progress on the matter.

Yours faithfully,

[REDACTED]

RES2

From: [REDACTED]

Sent: 23 February 2023 21:19

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

Subject: 285058/AM2; Mean Eyed Cat Bar, 60 Oldham Street, Manchester, M4 1LE

Reference: 285058/AM2

I wish to oppose this licence application in the strongest of terms.

[REDACTED]

The existing Blockbusters bar [REDACTED] caused persistent noise nuisance for over nine months from opening, which were only partially solved by a noise abatement notice being served. This is despite assurances during the licencing process regarding noise testing, being 'assured' by the applicant that he did not want to cause a nuisance, and the installation of a noise limiter. This was nine months of not knowing whether I would be able to get to sleep at my normal time. Nine months of avoiding making unnecessary commitments for first thing on Saturday and Sunday mornings because I never knew how much sleep I might get. Nine months of phoning the out-of-hours council team and them only occasionally being able to attend. And I am far from the only [REDACTED] who experienced this persistent noise nuisance.

This new licence application for 60 Oldham Street has the potential to cause even more of a noise nuisance, as:-

Blockbusters is only supposed to play background music on the ground floor. I believe it was the louder music coming from their basement which came straight up the wall to my bedroom on the second floor. Music from this new bar has the potential to come straight up the other side of this same wall, but from the ground floor.

Blockbusters usually stops playing music between 2:30am and 3am, but this new bar wants to be even later, which is unacceptable

Blockbusters does not have outside drinking. This would cause particular problems in the warmer months when I have to have my windows open for as much time as possible to stop it being too warm.

From my personal experience with Blockbusters and from what I have heard about the conflict created at Night & Day, I am firmly of the belief that residential properties and late-night bars/clubs with loud music should not be allowed in close proximity to one another.

[REDACTED] were there first, they should take precedence in this case.

Yours faithfully,

[REDACTED]

RES 3

From: a [REDACTED]
Sent: 23 February 2023 22:06
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Objection to Mean Eyed Cat Bar Reference: 285058/AM2

To whom it may concern,

I am writing in objection to the new premises licence for 60 Oldham Street Manchester.

Reference: 285058/AM2

Premises: Mean Eyed Cat Bar, Basement and Ground floor, 60 Oldham Street, Manchester, M4 1LE

Applicant: MECB Manchester Ltd

It has come to my attention that an application has been made for a bar/club at 60 Oldham Street, Manchester, M4 1LE.

[REDACTED] and am writing this objection on behalf of myself and my [REDACTED] [REDACTED] As a resident/owner [REDACTED]
[REDACTED]

The license application allows for the playing of live and recorded music between 11.00am and 3.00am (4.00am on the weekend). [REDACTED] the playing of music until 3.00am/4.00am will create a statutory noise nuisance and prevent residents from sleeping, which can exacerbate and/or cause other physical and mental issues. We believe that such a public nuisance would be in contradiction of the licensing objectives.

Furthermore this will be the second such licence granted in the same immediate area. With a similar licence granted for below 60A Oldham Street.

Due to recent refurbishment works in the adjacent unit, residents can verify that any noise will transmit through the building structure and into their bedrooms and living rooms.

[REDACTED] I am very also concerned about noise and nuisance from the street where members of the public will be loitering, drunk, fighting, smoking and any other anti-social behaviours that associate venues with late-night and alcohol licenses.

Manchester City Council's Statement of Licensing Policy 2021–2026, Interim Review 2021–2022, April 2021 (page 44, para 7.33) states that the authority considers that noise affecting

residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.

Tolerable levels have previously been breached with restful sleep impossible on occasions for [REDACTED] and that is without further these new premises in very close proximity [REDACTED]. Allowing more venues to operate during these hours so close to a block of flats is unconscionable. Given the fact that the flats have been here for over 17 years, the wellbeing and quality of life of the residents deserve priority.

[REDACTED] if the noise gets any worse, the amount of noise from these new licences is too much for any [REDACTED] to be expected to live with.

To be honest the granting of another licence in such close proximity [REDACTED] is inconsiderate of long standing residents and their quality of life.

We are therefore contacting you to express our deepest concerns with regard to the proposals and to state that we object to the application in the strongest of terms.

Please acknowledge receipt of this email and it would be most appreciated if you could keep us informed of any progress on the matter.

[REDACTED]
[REDACTED]

RES 4

From: [REDACTED]

Sent: 23 February 2023 13:17

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

Subject: Objection to application for premises licence for Mean Eyed Cat Bar, 60 Oldham Street

I am writing to object to the license application for the proposed "Mean Eyed Cat Bar" at 60 Oldham Street.

The proposals for this premises will increase the current noise disturbances already present to occupants [REDACTED]. The adjacent bar is already under a noise abatement notice (case ref: 749636, Investigating Officer: Gareth Hall), as the premises are not suitable for use as late night bars; there are significant acoustic weaknesses present due to the masonry walls used in the construction of the buildings.

The acoustic issues were meant to be addressed by planning and the licence conditions set by Manchester City Council, but this clearly has not worked and granting a license which allows an operator to make excessive noise until even later than the current premises is not acceptable.

In particular, I object to the request to operate until 4.30am. It is already impossible to sleep until after 3am at the weekends due to the noise made by the operator of Blockbuster NQ, having to wait until some time after 4.30am on the weekends will have serious impacts on my physical and mental health.

Any agreement by the proposed operators for this premises to keep noise levels low enough to not cause a disturbance, must have a measurable level included in the limit. The current licensing condition on Blockbuster NQ to keep ground floor noise levels to "background levels" is unenforceable as the out of hours licensing team do not know what that actually means!

Regards

[REDACTED]