

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 287892
Name of the Premises	Sams Off Licence
Address of the premises including postcode	20a Swan Street, Manchester M4 5JW

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 the Prevention of Public Nuisance and Public Safety.

Th application is seeking authorisation to sell alcohol 7 days a week till 1am.

It is the second application by the same applicant within a couple of months.

In March 2023 PC Hussain from GMP licensing spoke to the applicant and discovered that he was unaware of the PSPO in the City Centre, he also was unaware of what is meant by Proxy Sales

The applicant who is the also the proposed DPS showed little knowledge of the 4 licensing objectives, and it was clear that he had not read the previous application.

PC Hussain objected to the previous application, and this was subsequently withdrawn.

It is noted that the applicant has utilised the services of an agent when submitting the previous application and this current one as and such we are still not satisfied that the applicant has a good enough understanding of what is required to operate an off licence in the city centre.

Therefore, we ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Gareth Hall
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	gareth.hall@manchester.gov.uk
Telephone Number	

Premise Details

Application Ref No	M/287892
Name of Premises	Sams Off Licence
Address	20a Swan Street, Manchester, M4 5JW

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.

Licensing and out of hours (LOH) have assessed the likely impact of the grant of this application 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 have, taking into account the licensing objectives Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children From Harm.

The premises at 20a Swan street is currently a small barber shop trading as HQ Barbers, whose current trading hours are 0900 Hrs until 2000 Hrs Monday to Friday and 1000Hrs to 1700 Hrs on Sundays. The area around the premises is a variety of commercial and residential uses which are located in the Northern Quarter of the City Centre. including licensed premises the majority of which have terminal hours of 0100 Hrs. The area also has a number of short term lets which have proven problematic leading to complaints relating to noise and Anti-social Behaviour (ASB). The immediate vicinity of the premises also forms part of the city centre Public Space Protection Order (PSPO).

The premises has been subject to a premises licence application by the same applicant that was refused at a hearing on 12th April 2023.

LOH have concerns relating to the applicant who is also proposed to be the DPS of the premises specifically their knowledge of the licensing act 2003. At a meeting with the applicant on the 13th March 2023 the applicant displayed poor knowledge of the 4 licensing objectives and was unable to explain what was meant by 'proxy sales', the applicant was also unable to explain how he would prevent drunk persons from entering the premises. It is of particular concern to LOH that the operating schedule contains the following 'All staff other than personal licence holders must receive training regarding the four licensing principles contained in the Licensing Act 2003, Responsible retailing of alcohol, and the law, the conditions attached to the premises licence.

In this current application the applicant has offered many conditions that are vague and

effectively water down the importance of licence conditions. For example: 'Staff are trained as appropriate in respect of relevant licensing law' - this is ambiguous in nature and not clear, precise, or enforceable, as per S1.16 of the S182 guidance.

LOH have further concerns that there is no consideration or understanding of the area the premises will be trading in. There is no mention in the operating schedule of training in relation to conflict management which its proximity to other licensed premises, hours of operation, the area the premises is located in and alcohol sales post 2200Hrs LOH feel would be proportionate. It is also a concern to LOH that there is no SIA security provision in the operating schedule which primarily relates to the upholding the licensing objective 'prevention and detection of crime and disorder' also aids in the upholding of the licensing objective 'prevention of public nuisance' especially given the proximity of the premises to the City Centre PSPO

S7.17 of Manchester City Council's Statement of Licensing Policy states Proximity of takeaways and off-licences to nightlife entertainment areas Such premises typically lack the type of design and management provisions necessary to process the custom of a large intoxicated late-night customer base, and may act as flashpoints for alcohol-related crime and disorder. Additionally, there is a risk of staff being subjected to threatening behaviour, physical violence, and property damage. Operators are encouraged to consider conflict management training and/or employment of door supervisors, where appropriate. However, where the authority's discretion is engaged, consideration may be given to restricting hours of operation.

S7.2 of Manchester City Council's Statement of Licensing Policy states 'In accordance with the section 182 Guidance, when setting out the steps they propose to take to promote the licensing objectives, applicants are expected to obtain sufficient information to enable them to demonstrate that they understand:

- The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises, and proximity to areas where children may congregate
- Any risk posed to the local area by the applicant's proposed licensable activities.

MS5 of the statement of licensing policy states: Manchester City Council has previously implemented Designated Public Place Orders(DPPOs) in areas throughout Manchester in order to help address and prevent numerous problems caused by public consumption of alcohol. With effect from 20 October 2014, any new or renewal of such orders are known as Public Space Protection Orders (PSPOs). Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour. Licensees should ensure all staff are aware of the DPPO/PSPO when situated within the designated area and reinforce the No Street Drinking warning at point of sale. Other conditions may be imposed directed at avoiding problematic street drinking in the vicinity of the premises. Another particular concern will be irresponsible drink promotions that would appeal to underage drinkers or street drinkers, or that encourage excessive consumption and do not follow best practice, such as the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks, that would appeal to underage drinkers or street drinkers, or that encourage excessive consumption.

Due to the concerns outlined above, the lack of consideration of the area the premises is operating in and Manchester City Councils statement of Licensing Policy LOH ask that the application is refused.

Recommendation:

Refuse Application