

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	[REDACTED]
Contact Telephone Number	[REDACTED]

About the Premises

Application Reference No.	LPA 288467
Name of the Premises	The Ekclipse
Address of the premises including postcode	163-165 Great Ducie Street, Manchester M3 1FF

Your Representation

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

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

The application is seeking to licence a premises in the Cheetham Hill/Strangeways area of Manchester to permit the sale of alcohol from 1100 hours until 0530 hours, with late night refreshment around the clock and a closing time of 0600 hours, 7 days a week.

The area where the premises are situated suffers from a disproportionately high level of crime and there is a dedicated policing operation which has been set up in this very area to combat this. The operation is called Operation Vulcan and more details of this will be provided prior to any subsequent hearing before committee.

The actual premises which the application is seeking to licence was a target of Operation Vulcan, but it must be clarified that this was not under the operation of the applicant at that time.

Prior to researching the location where the premises are located, I was contacted by the applicant via email, and he asked me what GMP would expect from an application.

Whilst this advice is now largely academic, due to the unsuitable location for a licenced premises, I informed the applicant that GMP would not support an application with alcohol sales beyond 0330 hours and a closing time of 0400 hours.

Therefore, it is a concern that this advice has been completely disregarded and the hours applied for are way beyond this. This gives the impression that the applicant is unwilling to follow the advice that they have asked for and suggests that future interaction with the applicant would potentially be problematic.

Finally, the conditions offered are not commensurate with the operation of what would be one of the latest licenced premises within the Manchester City Council area.

We therefore ask that this application is refused.



Licensing & Out of Hours Compliance Team - Representation

Name	Ben Spencer
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	[REDACTED]
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details	
Application Ref No	REF 288467
Name of Premises	The Ekelipse
Address	163-165 Great Ducie Street, Manchester, M3 1FF

Representation
<p>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.</p> <p>The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting of this application considering a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risks that the granting application could undermine the licensing objectives.</p> <p>The proposed Ekelipse premises is located on Great Ducie Street, in close proximity to the city centre and Manchester AO Arena. Great Ducie Street is a busy route in and out of the city centre. Considering the location and street layout at the premises, it is likely that customers arriving and leaving the premises via vehicle will cause disruption to this main thoroughfare.</p> <p>The application proposed is for “a bar/restaurant, with the restaurant separated over two floors.” The plans show a small kitchen area, and a bar on each floor. Considering this and the operating hours requested until 06:00 every day of the week, it appears to be more of a bar proposition than that of a restaurant.</p> <p>The conditions offered for a bar/restaurant open until 06:00, in this location, are greatly insufficient. There are no conditions regarding SIA security, no mention of preventing noise nuisance from music, no refusal logs, queuing/dispersal and smoking policies. The outside seating area covers a large proportion of the premises plan. No conditions have been offered with regard to the use of this outside area.</p> <p>The Manchester City Council Statement of Licensing Policy states that consideration should be given to the following:</p> <p><u>Evidence of pre-existing problems in the area</u> <i>7.12 Where its discretion is engaged, the authority will give particular</i></p>

consideration to the general character of the surrounding area, including crime and antisocial behaviour (ASB) levels, litter problems, issues regarding underage or proxy sales, and noise complaints. Where there are demonstrable problems linked to the operation of licensed premises in the area and the evidence demonstrates problems with licensed premises in the area, the licensing authority will, in exercising its discretion, take this into consideration when deciding what (if any) steps are appropriate and proportionate in the individual case.

7.29 *The authority considers that later hours will typically be more sensitive and higher risk in causing problems.*

7.33 *Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence. In mixed-use environments, such as the city centre, noisier impacts are not always derived from actions of a small number of excessively antisocial individuals but can also come from large numbers of people going about the business of having a good time. While such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.*

Proximity to sensitive uses

7.36 *Where the licensing authority's discretion is engaged, premises applying for early morning daytime hours to sell alcohol will be given particular consideration in relation to their proximity to schools, play areas, nurseries, children's centres and other youth amenities to protect children from harm, as well as groups (such as persons who are alcohol-dependent) who could become more vulnerable or present a greater risk of crime, disorder and public safety issues as a result of excessive alcohol consumption or who may be drawn to particular premises if they are licensed to sell alcohol at earlier times. Where its discretion is engaged, the licensing authority will give consideration to the general demand for alcohol treatment in an area as a proxy indicator of problems.*

MS8 Prevent noise nuisance from the premises

Consideration should be given to the risk of nuisance from music breakout from the premises and include all appropriate measures. Relevant measures could include:

- *The provision of acoustic glazing*
- *The installation of sound limiters linked to any sound amplification equipment at appropriate levels*
- *The provision of acoustically treated ventilation*
- *The installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment*
- *Prohibition of the external playing of amplified music*
- *Restriction of the hours of operation of outside drinking areas*
- *Establishment of maximum noise levels*

- *The provision of a scheme of internal acoustic treatment to the premises.*

Considering the above, and the lack of conditions offered by the applicant, the LOOH team do not believe there are sufficient measures offered for the described operation and believe the licensing objectives will not be upheld. Therefore the recommendation for the application would be refusal.

Recommendation: Refuse Application