

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 287984
Name of the Premises	Achievable Community Services Ltd
Address of the premises including postcode	2 Empire Street, Manchester M3 1JA

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.

The premises have hosted numerous Temporary Events over the past few months none of which have been submitted by the applicants for this application.

One of these events resulted in a large brawl at 6am in which a male received serious facial injuries which required hospital treatment.

Another event was found to be operating using a doctored TEN so was in fact unlicensed.

It appears that the applicants for this application have not been taking an active interest in the events that have taken place at the premises and this causes concern as to how the premises will be operated going forward.

We believe that a premises with such late hours should have operators who are much more hands on and much more in control of their premises and have a more obvious interest in what is happening in their premises.

Of other concern is the absence of any door staff condition which GMP would have expected as standard for a premises intending to operate such late hours.

As such we are not confident that the premises will uphold the 4 licensing objectives.

We therefore ask that this application is refused

From: [REDACTED]
Sent: 10 July 2023 11:11
To: alan.isherwood [REDACTED]
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Empire House

Good morning Alan,
Please see the attached.

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 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.

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, which will record the following incidents including pertinent details: (a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any incidents of disorder (d) any faults in the CCTV system (e) any visit by a relevant authority or emergency service

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the

premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

In addition on Friday and Saturday nights SIA registered door staff will be on duty at a rate of 1 per 50 guests

It's the GMP policy you kindly let me have. I have added the lines regarding door staff. I hope this is sufficient for you, if not, please let me know what wording GMP would consider appropriate.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]



Licensing & Out of Hours Compliance Team - Representation

Name	Ben Spencer
Job Title	Neighbourhood Compliance 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	REF 297984
Name of Premises	Empire House
Address	2 Empire Street, Manchester, M3 1JA

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 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.

Empire House is situated on Empire Street in the Cheetham Hill area of Manchester. The area is largely industrial, with the premises sitting next to the Derby Brewery Arms on Cheetham Hill Road. The application is for a terminal hour of 04:30, live and recorded music until 04:00, supply of alcohol from 12:00 until 04:00 all Monday to Sunday. The premises have not requested late night refreshment for between 23:00 and 05:00.

On the 19/20 May 2023, an unlicensed event took place at Empire House. The individual had been advised that the event should not take place, confirmed that they would not be holding the event, however officers found the premises to be open and operating anyway. A doctored TEN with a false date added was produced for officers. The management of Empire House have allowed this unauthorised event to take place, and also the same applicant to hold another event at the premises after this.

Section 136 (1) of the Licensing Act 2003 states it is an offence to carry on or attempt to carry on a licensable activity on or from any premises other than under and in accordance with an authorisation. A person guilty of this offence is liable to be imprisoned for up to 6 months and/or an unlimited fine.

Issues outside the premises after dispersal following an approved TEN at the premises resulted in a serious injury following an assault. This occurred after the premises should have closed and fully dispersed, however people involved were seen still entering and exiting the premises at the time. On officers visit on the 26/3/23 customers from the premises were seen entering and exiting the premises with drinks, consuming in the road.

There is a studio premises, operating 24 hours, allowing under 18's on site directly opposite the premises. GMP have raised safeguarding concerns with the ages of the patrons frequenting the area through the night.

The Manchester City Council Statement of Licensing Policy states that consideration should be given to the following:

Evidence of pre-existing problems in the area

7.12 Where its discretion is engaged, the authority will give particular 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.

Considering the above, the LOOH team do not believe the operators will positively uphold the licensing objectives, and therefore would recommend the application is refused.

Recommendation: Refuse Application

From: [REDACTED]
Sent: 05 July 2023 10:39
To: Ben Spencer [REDACTED]
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>; alan.isherwood [REDACTED]
Subject: Empire house objection

Good morning Ben,

I have received your objection. I'd like the opportunity to have a conversation with you, I understand we work very different hours. If you do get the chance to call me, it would be appreciated. In the meantime if you could consider the comments below.

I've spoken to the applicant regarding your concerns and they would like to offer the following amendments and conditions.

The hours for the retail sale of alcohol from Monday to Thursday will be revised as follows 12.00 to 23.30. Friday and Saturday will remain as 12.00 to 04.00.

Prevention of public nuisance

An noise sensor/limiter will be installed in the function room of the Premise. A manual noise assessment will be carried out at each event. Both conditions will form part of the licence.

I hope we can discuss this further, along with the other issues raised.

Kind regards