



Licensing & Out of Hours Compliance Team - Representation

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Premise Details

Application Ref No	792098 & 792136
Name of Premises	Pot Kettle Black Angel Gardens
Address	Angel Gardens, 1 Rochdale Road, Manchester, M4 4GE

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 (LOOHT) have assessed the likely impact of the grant of the Temporary Event Notices (TENs) on the Licensing Objectives taking into account a number of factors, including the activities being applied for, the nature of the area in which the premises is located and any potential risk the granting of the TENs could have on any of the four licensing objectives.

As a result of this assessment the LOOHT have concerns that the grant of the TENs is likely to lead to the Prevention of Public Nuisance licensing objective being undermined.

The premises is located on the ground floor of Angels Gardens, 1 Rochdale Road, Manchester, M4 4GE with resident's above. Pot Kettle Black normally operates as a café, serving brunch during the day and is usually closed in the evenings except for private events.

The existing premises licence for Pot Kettle Black authorises the sale by retail of alcohol for consumption both on and off the premises and the provision of regulated entertainment limited to recorded music Monday to Sunday 0800 to 2300. It permits the premises to be open to the public Monday to Sunday 0800 to 2300.

The TENs propose to extend licensable activities at the premises and to allow late night refreshment on the following dates and times:

7th December 2023 from 2300 to 0200

14th to 16th December 2023 from 2200 to 0400

The TEN user and Designated Premises Supervisor for the premises, Mark Flanagan has notified that both TENs are in respect of corporate events, where a DJ will be present and playing music through the premises speakers.

The LOOHT have concerns with regards to granting the TENs following receipt of recent noise complaints from a resident in respect of previous TENs at the premises of a similar nature.

On 06th October 2023 a TEN to extend licensable activities at the premises from 2300 to 0230 for a corporate event with a DJ was operated.

On 7th October 2023 at 00:10 the LOOHT received a complaint from a resident to report a loud party and music emanating from the premises.

At 00.40 LOOH officers arrived outside the premises and reported that they heard low level music and bass audible coming from Pot Kettle Black. They then attended the complainant's property, and within the living room described that they could hear prominent bass, R&B type music and raised voice coming from the premises. Officers remained in the property until 00:58, stating that the noise from the premises remained the same for the duration of the visit.

The attending officers agreed that the noise witnessed would prevent an ordinary person from sleeping and therefore engaged with premises, who complied with the request to reduce the music and bass.

Following the complaint, a letter was sent to TEN user and Designated Premises Supervisor, Mark Flanagan on 13th October 2023 to make him aware of the complaint.

On 25th October 2023 an additional TEN to extend licensable activities at the premises was received. This related to an event with a DJ on 11th November 2023 from 2300 until 0400.

On receipt of the TEN I spoke with the TEN user and Designated Premises Supervisor, Mark Flanagan. I have explained that the complainant would be made aware of the event and asked to contact the service if they are disturbed by noise from it. I also made him aware that any further noise complaints could result in future TENS being objected to.

During our conversation the TEN user and Designated Premises Supervisor, Mark Flanagan requested the complainants contact details in order to reach out to them with regards to the event. I spoke with the complainant and he was in agreement for his details to be provided.

At 22.19 on 11th November 2023 the LOOHT received a call from the complainant to report loud music from the premises. However, a request for officers to attend was not made because whilst on the phone with LOOH the complainant stated that the premises had messaged in respect of reducing the volume.

The complainant made a second call to LOOHT at approximately 00:50hrs. This call was diverted to our contact centre, due to officers being out of the office. A CRM reference was created but details of the call not passed to officers on shift and therefore they did not attend the complainant's property.

At present LOOH have no confidence that the premises can operate a late

night event responsibly / without effecting residents and as a consequence of the above LOOH recommend that the TENs are refused.

Recommendation: Refuse TEN