

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 21 February 2024

Subject: Co-op Live, Etihad Campus, Manchester - App ref: Premises Licence (new) 295333

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the grant of a premises licence made under the Licensing Act 2003, which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected: Ancoats and Beswick

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

A connected city: world class infrastructure and connectivity to drive growth	
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Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy.
- Guidance issued under section 182 of the Licensing Act 2003.
- Licensing Act 2003 (Hearings) Regulations 2005.
- Any further documentary submissions by any party to the hearing.

1. Introduction

- 1.1 On 10/11/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Co-op Live, Etihad Campus, Manchester in the ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Eastlands Arena Limited.
- 2.3 The description of the premises given by the applicant is 'Co-Op Live (the "Premises") as shown on the site licensing plan submitted with this application and in illustrative plans showing each level, is a purpose-built, multi-use arena, situated in the wider Etihad Campus. The premises will comprise 5 internal multi-use levels (with an Auditorium Bowl) and an external "Podium" – an illustrative Schedule of the planned licensable activities in the different areas is provided in support (but is not set in stone).'
- 2.4 The proposed designated premises supervisor is Sarah Roberts.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Mon to Sun 10am to 4am for 'Co-op Live Events' as defined in the Application/conditions (essentially, large-scale events in the Auditorium Bowl).

Mon to Sun unrestricted hours for 'Non-Co-op Live Events' (i.e. activities in non-Bowl areas of the Premises and/or for smaller scale events in the Bowl)

(Regulated entertainment in the external Podium will finish at 10.30pm at the latest.)

The provision of regulated entertainment of indoor sporting events and/or boxing or wrestling entertainment will take place indoors only.

The provision of regulated entertainment of plays, films, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance, will take place both indoors and outdoors.

Provision of late-night refreshment:

Mon to Sun 11pm to 4.30am for 'Co-op Live Events'

Mon to Sun 11pm to 5am for 'Non-Co-op Live Events'

The provision of late-night refreshment will take place both indoors and outdoors.

The supply of alcohol for consumption both on and off the premises:

Mon to Sun 10am to 4am for 'Co-op Live Events'

Mon to Sun unrestricted hours for 'Non-Co-op Live Events'.

Opening hours:

Mon to Sun 10am to 5am for 'Co-op Live Events'

Mon to Sun unrestricted hours for 'Non-Co-op Live Events'

Non-Standard timings for all the above

On a maximum of 12 occasions per annum, extended hours will be permitted for Co-Op Live Events, allowing licensable activities to be carried out 10am-10am i.e. 24/7 (with LNR extended to 5am).

2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified

by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

2.8 Further documentation accompanying the application

- 2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:
- Arena Operations Manual Overview (Index Page)
 - Précis of Premises Licence Application

3. Relevant Representations

3.1 A total of 48 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;
- MCC Trading Standards
- Licensing Authority
- Public Health

Other Persons:

- Ward Councillors x6 (Ancoats and Beswick; Miles Platting and Newton Heath; Clayton and Openshaw);
- Businesses (x2).
- Residents (x35).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	The application is seeking to allow the premises to trade for 24 hours a day with all licensable activities permitted for events that are referred to as 'Non-Co-Op Live Events'. The accompanying documentation doesn't expand on what these events will look like, so it isn't possible to make a balanced assessment as to whether the 4 licensing objectives are likely to be undermined. GMP are concerned that an outside operator could hire part of the premises to put on a high-risk event which they would then be able to run for as long and as late as they wished. Therefore, GMP would like to see a more detailed, more specific description of such events contained within the documentation.	Further information to be provided before licence is granted

	<p>Throughout the accompanying documentation there are references to detailed egress, dispersal and transport plans but these policies don't appear within the list of draft documents contained within the SharePoint folder GMP have been given access to, so it isn't possible to comment on whether these policies will be effective and adequate and GMP would look for these policies to be published as soon as possible.</p> <p>It is also of note that there are no Counter Terrorism plans /contingency plans/major incident plans which are currently available to scrutinise so any decision as to their effectiveness/robustness/scope cannot be made at this stage and GMP would want to have sight of these before any approval for grant of the licence could be considered.</p> <p>The premises is next to a canal so GMP would like to see the mitigation of the risks that this poses, to potentially intoxicated persons using the towpath as an egress route in the early hours, included within their policies. This should include the risks of them falling into the canal as well as them potentially becoming victims of crime along these dark isolated routes.</p> <p>GMP have concerns that in the early hours of the morning the transport network in that part of the city is virtually non-existent so there is a danger that large numbers of intoxicated persons who are not familiar with the area will walk into areas where they are more likely to become victims of crime, whether that be theft or robbery of their personal items or violent and/or sexual crime and as such GMP would expect this to be documented within one of the policies.</p>	
<p>Licensing Authority</p>	<p>Given the extent of the proposed licensable hours and having regard to the makeup of the locality, the Licensing Authority considers that there is a need for greater clarity and distinctions made in relation to activities at the premises.</p> <p>The Licensing Authority feels that, at this stage,</p>	

	<p>the application lacks clarity, and the operating schedule in its current form is not robust enough and requires further refinement particularly because of the scale of the premises. Further discussion is required to enable appropriate consideration of the operational plans, to ensure that the proposed control measures are appropriate for the promotion of the licensing objectives.</p> <p>Having reviewed the proposed Operations Manual, there is a need for further development and review. Whilst there is scope within the proposed conditions for Appendix 1 procedures to be approved by the licensing authority, there are several aspects that we consider need further development, including (but not limited to) the application of relevant guidance; approach to risk assessment; event review procedures, egress and transport arrangements, training requirements, and we reserve the ability to seek to address any prospective requirements through licence conditions as necessary. Further, the Operations Manual would be expected to be implemented for any event activity, not just full capacity events.</p>	
<p>Licensing and Out of Hours Compliance</p>	<p>The premises is located less than 100m to the nearest residential street, Sutton Street. It is likely that customers arriving to the premises, queuing to enter, and dispersing in the early hours could cause nuisance to local residents.</p> <p>The proposed hours are not supported by local transport services. Trams only operate to midnight (1am on Fridays and Saturdays), similarly last buses serving the area depart before midnight. Therefore, customers would solely rely on taxi services or walking routes to disperse the area in the early hours, which could allow for heavy traffic and congestion in an area which would normally be much quieter due to the area being a residential neighbourhood. The Operations Manual and the Event Management Plan lacks any significant detail as to how dispersal from the venue would be managed.</p> <p>LOOH are also concerned that a number of</p>	<p>Further information to be provided before licence is granted</p>

	<p>documents appear to be missing or incomplete – in particular, the team would expect further detail in both the Training Plan and Alcohol Management Plan with a venue of this capacity.</p>	
<p>Trading Standards</p>	<p>Although operational manuals have been provided by the applicant, the applicant has not given sufficient detail on staff training relating to underage sales of alcohol. The information provided does indicate staff training will be given by bar managers, however there is no information on how they will be trained. Further concerns are raised about when, how often and how staff training will be given, in line with MS12 of the Council’s Statement of Licensing Policy.</p> <p>Further information is also required in relation to alcohol deliveries and self-service and in particular with regards to the protection of children from harm.</p>	<p>Further information to be provided before licence is granted</p>
<p>Public Health</p>	<p>The application requests the ability to sell alcohol 24 hours a day. Increasing the hours during which alcohol is available is likely to lead to increases in alcohol consumption. This not only has negative impacts on those drinking alcohol, but on their families and the local community. The local area has higher than average rates of alcohol attributable admissions to hospital and there are concerns that approving this licence to allow the sale of alcohol 24 hours a day could compound issues of alcohol related harm in this community.</p> <p>Although the applicant refers to ‘safeguarding training’ and a ‘safeguarding plan’ there is limited detail provided in relation to this, with no mention of a safeguarding policy and thus Public Health cannot be assured that the venue will operate in such a way as to protect children from harm.</p> <p>The lack of detail about how self-service will operate to prevent the sale of alcohol to underage or already intoxicated individuals raises concerns about the potential for underage drinking and harm to vulnerable</p>	<p>Further information to be provided before licence is granted</p>

	<p>individuals.</p> <p>Nor is sufficient detail provided by the applicant on staff training. In particular, more detail is needed in relation to how intoxicated individuals will be managed to ensure there is no direct or indirect harm to children.</p> <p>Although Co-op live pertains to being a “no smoking venue” there is no reference to how this will be managed i.e., a documented smoking policy. It is unclear whether vaping will be allowed or how this will be managed, given there are concerns about the marketing of vapes to children and the harm vaping can have on their health long term.</p> <p>There are currently limited public transport options and safe routes to/from the premises, which could mean individuals may be more at risk or vulnerable to becoming a victim of crime when leaving the premises in the early hours of the morning.</p> <p>Granting the application in its current format could lead public nuisance through increased noise, increased litter, increased traffic and parking, and increased footfall – there is not enough detail in the application to satisfy Public Health that these things will be properly mitigated against.</p> <p>Finally, the application does not discuss water safety training despite the proximity of the venue to the canal along with the risk of individuals who may be intoxicated or under the influence of alcohol.</p>	
<p>Business 1</p>	<p>The operating plans and procedures have not been adequately tested with test events. The intended public opening date in May offers very little time to complete this process, which is an obvious and serious risk to public safety.</p> <p>It is not appropriate for such an important document as the Operations Manual to only have been published as a draft version. Section 17(4) of the Licensing Act 2003 requires an applicant for a premises licence to set out in full in their operating schedule all the</p>	<p>Further information to be provided before licence is granted</p>

	<p>steps they propose to take to promote the licensing objectives. That requirement is not satisfied by proposing a condition that allows for some of those steps to be set out in a document at a later date, after the licence is granted.</p> <p>As drafted, the application links governance of the licence to an (unseen) Operations Manual, Generic Event Management Plan, Noise Management Plan and there are no detailed condition proposed in the application, and those which are offered is too vague and fail to support the licensing objectives.</p> <p>Only a site plan and illustrative level plans have submitted. A definitive, not illustrative, plan is an integral part of a premises licence, and is required by law at the application stage to ensure the responsible authorities are able to consider the adequacy (or not) of the operating conditions.</p> <p>Condition 14 of the Planning Permission stipulates that the 'arena shall be open for event and hospitality use in accordance with the hours as specified in the approved Operating Schedule and Event Management Plan v1.3 ... which shall include normal operation for events and hospitality between the hours of 0900 and 0000 Monday to Sunday... Extended hours for a full arena event will only be acceptable on a maximum of 25 occasions per annum.' This licensing application proposes unlimited Monday to Sunday 24/7 use for non "Co-op Live Events" which can include non-bowl events to capacity 9,999. The concerns of the Planning Committee regarding impacts on the residential amenity remain relevant and valid and provide appropriate and compelling evidence that the 24/7 use proposed by the application is unwarranted and can only undermine the licensing objectives.</p> <p>The applicant's planning application acknowledged that bus services were insufficient to meet demand and proposed private shuttle services to and from the Arena. However, there is no reference to shuttle services in the current premises licence</p>	
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	<p>application. The provision of shuttle services would likely help reduce the likelihood of customers driving to the Arena and parking their cars in nearby residential areas.</p> <p>The maximum Metrolink capacity is 4000 persons per hour and Metrolink and local train services end at midnight. As the capacity of the Co-op Live is 23,500, a significant number of customers will have to use alternative transport (walking, bus or taxi) to return to the city centre. There is a risk that customers will be unable to make local onwards public transport connections in time and may be effectively stranded in the city centre at night. The limitations of the public transport infrastructure serving the Co-op Live Arena also makes it likely that a significant number of customers will walk to / from the Co-op Live to the city centre. The walking routes from the Co-op Live to the city centre are unsafe at present, including busy roads with narrow pavements and canalside paths. The application does not propose any measures to ensure these walking routes are safe, particularly at night.</p> <p>It is not clear if police resources will be allocated to serve the Eastlands community until 4.30-5am (or 24/7 for non Co-Op Live Events) or, if so, whether GMP have committed to allocating additional resources to the city centre to mitigate the risk of a delay in response times as resources will need to be deployed from Eastlands to the city centre to respond to any reports of crime and anti-social behaviour taking place in the city centre.</p> <p>It is also not clear if additional CCTV is to be installed within nearby residential areas to help identify any criminal activity and perpetrators and, if so, how this will be balanced against the rights to privacy of the residents in that area.</p> <p>Given the scale of the premises and the anticipated number of customers, we are concerned that the Operating Schedule and proposed conditions do not include a search and screening policy and this should be remedied by appropriate conditions. There should also be a detailed Counter Terrorism</p>	
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	<p>Plan.</p> <p>In conclusion, there is so little detail in the current application that it is impossible for both the responsible authorities and interested parties to properly evaluate the impact on them and the licensing objectives.</p>	
Business 2	<p>The detail contained in the application is too vague and it is therefore difficult to assess what the impact of granting the application in its current format would be on the Licensing Objectives. For instance, it is unclear whether the activities described as “Non Co-Op Live Events” in the application would take place outside the main arena space and whether they would be, in effect, separate premises – if so, the conditions offered by the applicant are not suitable for a series of individual licensed premises within the building.</p> <p>In addition, the application contains no specific details of how the licence holder will address public nuisance in respect of persons egressing the premises in such large numbers, especially given the lack of public transport options in the early hours of the morning which will likely mean many customers will be leaving the area by foot.</p> <p>The Council’s Special Policy for Ancoats and New Islington recommends that the Council will generally only permit licensable activities for premises within these areas until the terminal hours of 11pm (Sun to Thurs) and midnight (Fri to Sat) – the hours proposed in this application are very inconsistent with the current framework for these neighbouring areas. Given the proximity of these areas to the venue, customers are likely to walk through them in large numbers during the early hours of the morning, undermining the point of this policy.</p>	Further information to be provided before licence is granted
Miles Platting and Newton Heath & Ancoats and Beswick Ward &	<p>Granting this licence in its current form would have a detrimental impact on the quality of lives of the local residents who live in close proximity to the venue or to the main public transport systems routes. There would be people coming and going from the premises, many of whom will have been drinking alcohol</p>	Further information to be provided before licence is granted

<p>Clayton and Openshaw Councillors</p>	<p>and will likely therefore generate a lot of noise. There would also likely an increase in litter.</p> <p>As there is a lack of policing in the area there could be confrontations between those attending and leaving the venue in the early hours with local residents due to parking and noise disturbance.</p> <p>There are limited transport options to/from the premises and there is a danger that people would walk home along the canal path, which could be dangerous. Also, as patrons are forced to walk long distances home, there will be an obvious need for them to require a toilet, increasing the chances of defecation and vomit around residential estates and family homes.</p> <p>There is very little detail with regards to what type of events “Non Co-Op live events” would be or who would be running these or what their abilities to promote the 4 licensing objectives are.</p> <p>The off sales applied for create a risk for underage sales taking place or underage proxy sales which could result in underage young people obtaining alcohol.</p> <p>The Sound Report provided in support of the application makes lots of erroneous assumptions and is not fit for purpose.</p> <p>The provision of late night refreshment taking place outdoors in the early hours of the morning could likely lead to a public nuisance, as the soundproofing that will likely be present in indoor facilities is unlikely to be present in an outdoor setting.</p>	
<p>Residents (x35)</p>	<p>The hours being applied for are excessive and could lead to public nuisance in what is predominantly a residential area, in terms of noise (from the venue itself and from people coming and going), traffic congestion, pressures on finding a parking space and littering.</p> <p>As public transport does not run in the early hours of the morning, there will be many more taxis and cars in the area, leading to an</p>	<p>Refuse / Further information to be provided before licence is granted</p>

	<p>increase in air pollution and possibly also an increase in alcohol-related driving accidents given the availability of alcohol at the venue.</p> <p>The area already experiences a lot of antisocial behaviour and crime and there is not enough of a police presence as it is. Thousands more people coming into the area, particularly in the early hours of the morning, would put a further strain on police and lead to an increase in antisocial behaviour and crime.</p> <p>The ability to buy alcohol for consumption off the premises would likely lead to problems with street drinking.</p> <p>It is very difficult to find a parking space on residential streets near the premises on match days – this would only be exacerbated with the opening of this venue.</p> <p>There is a school near the premises, as well as many children living in the area, and if alcohol was served to 5am this would undermine the Licensing Objective of the prevention of children from harm due to the number of intoxicated people that will be present in the area.</p>	
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

4. Key Policies and Considerations

4.1 Legal Considerations

4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 New Information

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 Hearsay Evidence

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is

evidence of something that a witness neither saw nor heard, but has heard or read about.

4.4 The Secretary of State's Guidance to the Licensing Act 2003

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 Manchester Statement of Licensing Policy

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas

- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises

MS12 Prevent underage sales of alcohol, including proxy sales

Section 12: Premises Licences for large-scale public events

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 5.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**