

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.	LPV 226545
Name of the Premises	Sugar Ray's
Address of the premises including postcode	Basement, 14 Newton Street, Manchester M1 2AF

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the variation 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 variation 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 are situated a very short distance from Piccadilly Gardens which is the number 1 problem area for incidents within the City Centre.

It is of concern to GMP that the premises are seeking to extend their hours so late within this area and we believe that there is a strong likelihood that persons leaving the premises at this time will prolong the issues that the Gardens are suffering from.

Other than offering to use a sound limiter and stating that under 18s will only be allowed in the premises until 8pm under adult supervision, the applicant has offered nothing that isn't already part of their licence conditions to show how by operating and selling alcohol to 5am, they will not add to the issues in this area.

Between 1st Feb 2018 and 1st Feb 2019 there were 6010 incidents recorded in the Piccadilly Gardens locality, 556 of which were for violence and 550 for Anti- Social behaviour.

This shows just how problematic the area is and GMP really do not want another premises at this location selling alcohol until 5am.

In Manchester City Council's own Licensing Policy it states in part;

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.

It further states that:

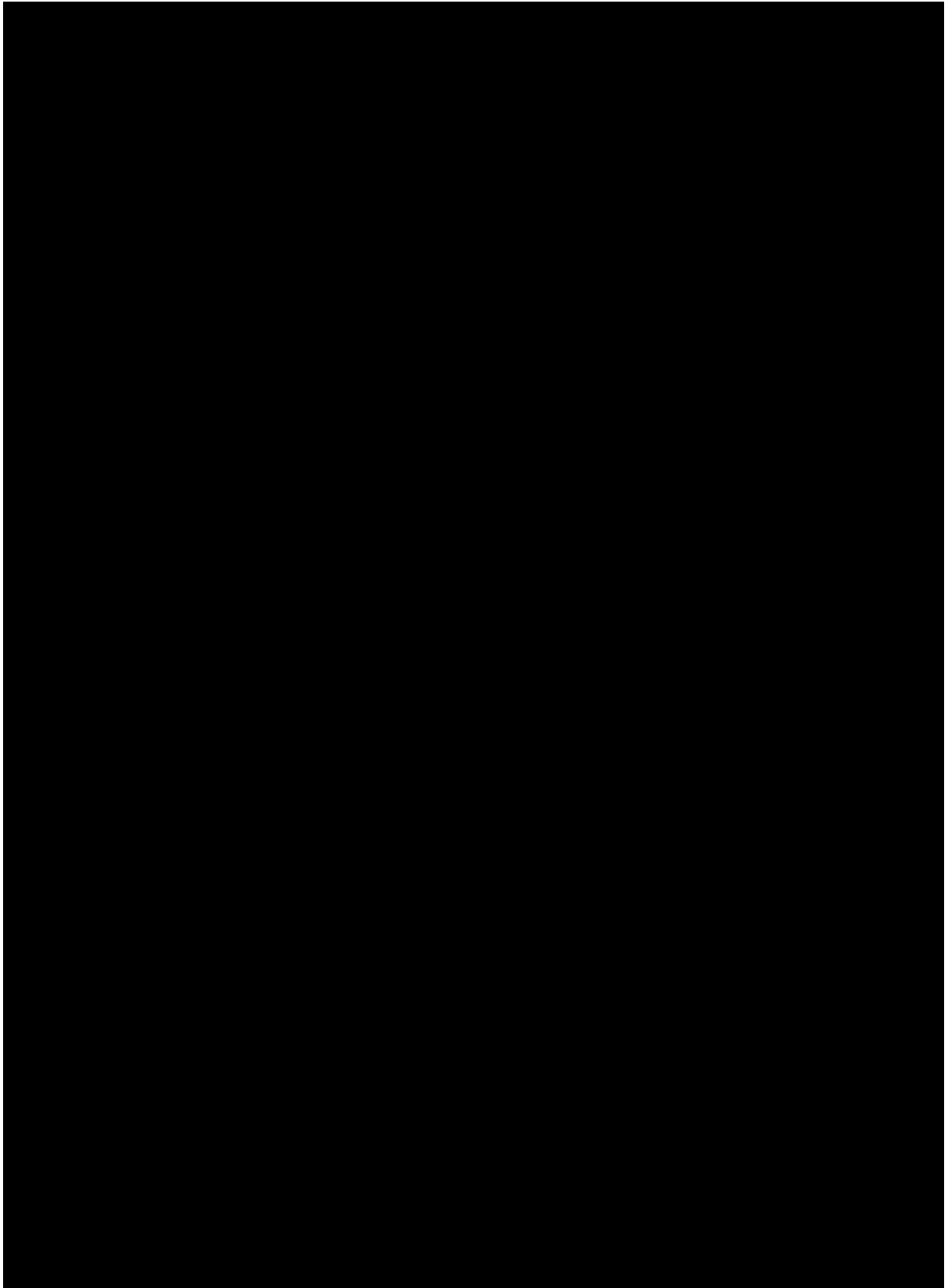
7.28 Where its discretion is engaged, the licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives. While it is recognised that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided, the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives, subject to relevant representations being made in relation to the hours applied for, should the licensing authority deem this appropriate and proportionate following a hearing.

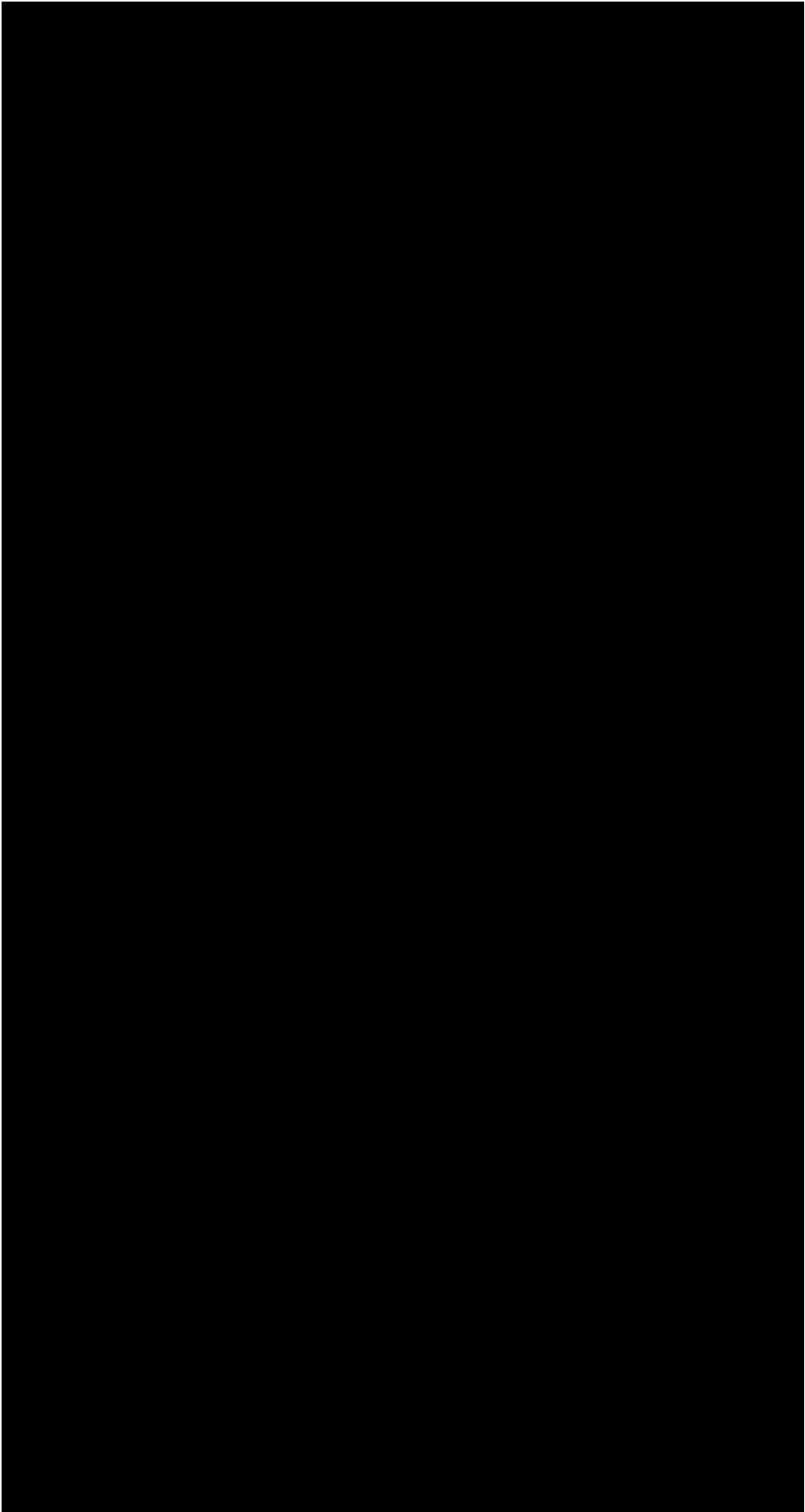
7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.

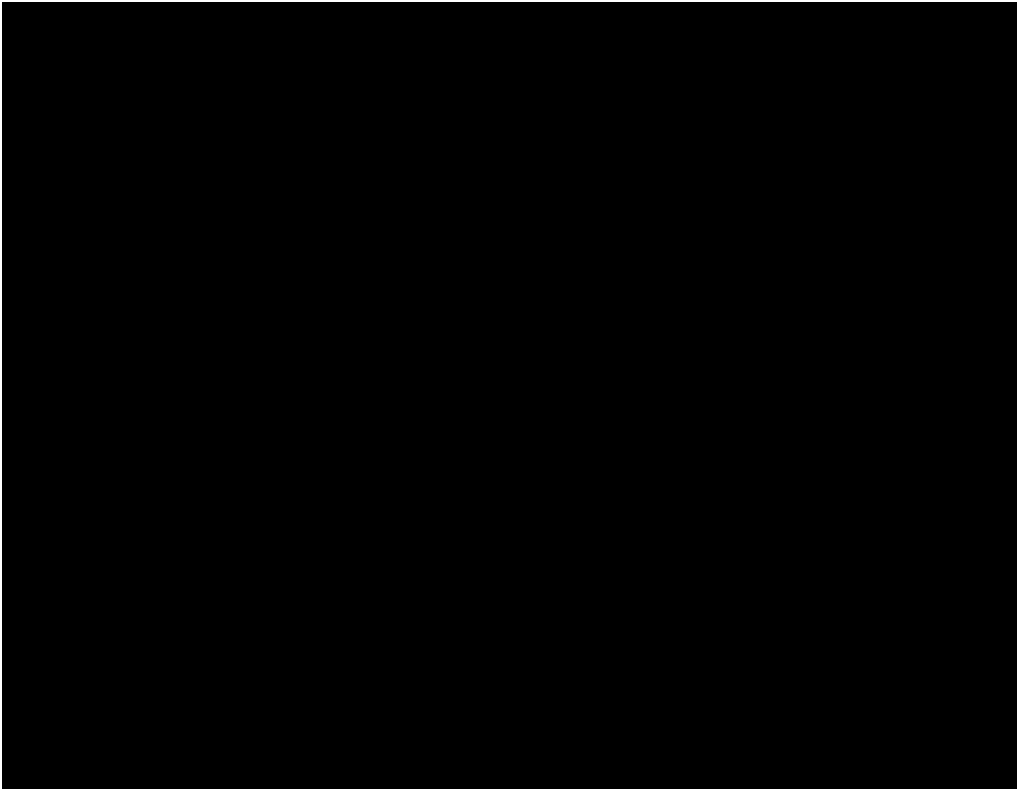
7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

7.35 Where its discretion is engaged, the licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours, and each application will be considered on its individual merits.

We therefore ask that this application is refused.







From: <Alan.Isherwood@gmp.police.uk>
Date: Thu, 14 Mar 2019 at 07:52
Subject: RE: URN:2010/0173/CLT/01 14 Newton Street Assesment
To: [REDACTED], <gemma.smith2@manchester.gov.uk>, <premises.licensing@manchester.gov.uk>
Cc: <CentralLicensing@gmp.police.uk>

Dear All,

In view of the email below for the applicant, in relation to the Sugar Ray's premises licence variation, in which the hours being requested have been amended, GMP are happy for the variation to be granted with these revised hours attached.

For clarification the 5am on Fridays and Saturdays, which was being sought by the applicant is no longer being proposed and the hours on Friday and Saturday are to remain unchanged but the hours for the rest of the week are to be extended to 1am.

Please can this variation now be shown as agreed between the applicant and GMP.

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

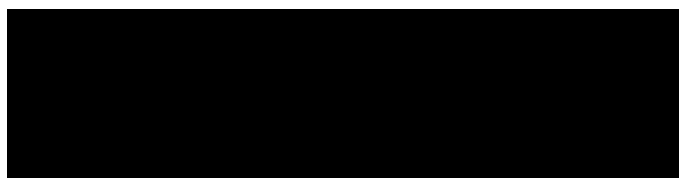
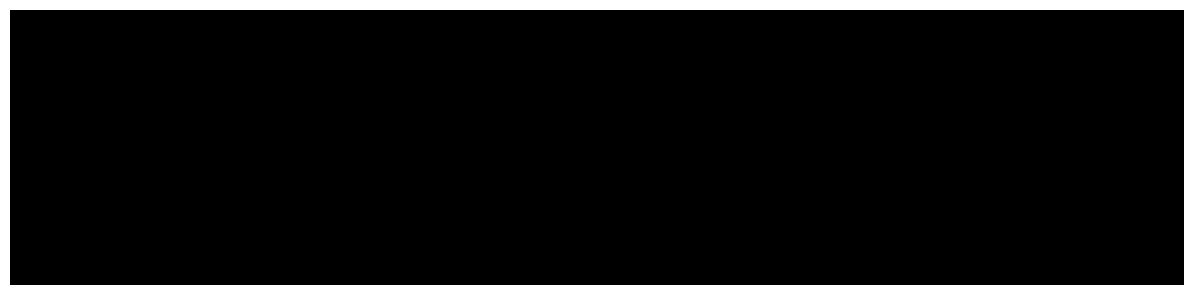
alan.isherwood@gmp.police.uk

0161 856 6017

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NOT PROTECTIVELY MARKED

From: The Whiskey Jar - [REDACTED]
Sent: 13 March 2019 23:27
To: gemma.smith2@manchester.gov.uk



From: <Alan.Isherwood@gmp.police.uk>
Date: Wed, 27 Mar 2019 at 13:03
Subject: RE: RE Licence at 14 Newton Street
To: <[REDACTED]>, <premises.licensing@manchester.gov.uk>
Cc: <CentralLicensing@gmp.police.uk>

Dear All,

GMP are happy for the variation to be granted as per the times below.

Re: 226545 /DS7 Sugar Ray's, "Basement", 14 Newton Street, Manchester

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
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M2 5DB

alan.isherwood@gmp.police.uk

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NOT PROTECTIVELY MARKED

From: The Whiskey Jar [REDACTED]
Sent: 22 March 2019 13:25
To: Alan Isherwood
Subject: RE Licence at 14 Newton Street

Hi Alan,

Hope you are well?

Just hoping you can confirm the below times are fine with you regarding 14 Newton Street, Manchester. There was a small error on the Thursday timings - it was

previously 11:00-01:00 which was incorrect. It now ha the correct time below.

Recorded Music

Sunday to Wednesday 0900 to 0100

Thursday to Saturday 0900 to 0300

Late night refreshment

Sunday to Wednesday - 2300 to 0100

Thursday to Saturday 2300 to 0300

Sale of alcohol

Sunday to Wednesday 1100 to 0100

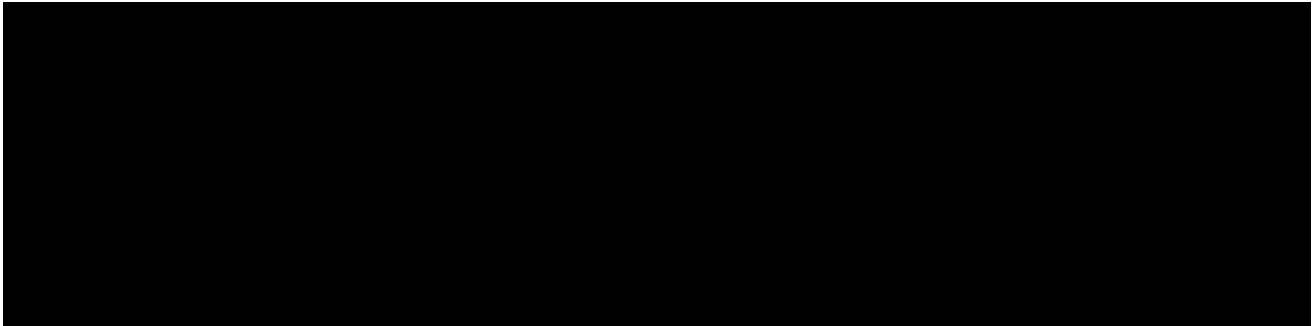
Thursday to Saturday 0900 to 0300

Opening hours

Monday to Wednesday 0630 to 0100

Thursday to Saturday 0630 to 0300

Sunday 0900 to 0100





Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Smith
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	gemma.smith2@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details

Application Ref No	226545
Name of Premises	Sugar Ray's
Address	Basement, 14 Newton Street, Manchester, M1 2AF

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 licence holder BPUV Ltd has submitted a variation application to extend the hours that the premises is open to the public and to increase the hours licensed activities are permitted as follows:

Opening hours:

Current hours: Mon to Wed 0630 - 2300
Thu to Sat 0630 - 0300
Sun 0900 - 2300

Proposed hours: Mon to Sat 0630 – 0500
Sun 0900 – 0500

Supply of alcohol for consumption both on and off the premises:

Current hours: Sun to Wed 1100 - 2230 & Thu - Sat 0900 - 0300
Proposed hours: Sun to Wed 1100 - 0500 & Thu - Sat 0900 - 0500

Provision of regulated entertainment (recorded music):

Current hours: Mon to Sun 0900 - 2300
Proposed hours: Mon to Sun 0900 - 0500

Provision of late night refreshment:

Current hours: Thu to Sat 2300 - 0300
Proposed hours: Mon to Sun 2300 - 0500

Licensing and Out of Hours have assessed the likely impact of the grant of this variation application taking into account a number of factors, including the activities and extensions being applied for, the nature of the area in which the premises is located and any potential risk that granting the variation could have on any of the four licensing objectives.

As a result of this assessment the Licensing and Out of Hours Team have concerns that the grant of the application, in its current form, is likely to lead to

the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety objectives being undermined.

In reaching this decision we have given particular consideration to Manchester City Councils Statement of Licensing Policy specifically:

7.12 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.

7.25 The licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises as well.

7.26 The authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.

7.28 The licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives.

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

7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

The premises is not currently in operation and is located on Newton Street, within The Northern Quarter district of the city. It is situated between two licensed premises Jimmy's, 12 Newton Street and Cottonopolis Food & Liquor, 16 Newton Street. Both of which are open to the public until 0230 on a Friday and Saturday and close earlier Sunday to Thursday.

The existing premises licence indicates that the premises can open to public on Thursday to Saturday until 0300, closing earlier Sunday to Wednesday. The variation application proposes that the premises will remain open until 0500 Monday to Sunday. This is a significant increase in operational hours and to the hours that the neighbouring premises are permitted to carry out licensed activities until.

There are a number of residential properties on Newton Street adjacent to the premises and nearby on Dale Street. Manchester City Council records show that noise complaints have been received from residents on both streets pertaining to licensed premises near Sugar Rays, the most recent being March 2018.

Furthermore Piccadilly Gardens is in close proximity to the premises and is a hotspot for crime and anti- social behaviour within the city centre. GMP have documented that between 1st February 2018 and 1st February 2019 there were 6010 incidents recorded in the Piccadilly Gardens locality, 556 of which

were for violence and 550 for Anti- Social behaviour.

Licensing and Out of Hours have concerns that the sale of alcohol, particularly the sale of alcohol for consumption off premises, in this location until 0500 could potentially add to the pre-existing issues in Piccadilly Gardens locality due to the already problematic nature of the area.

Moreover the city centre of Manchester is covered by a Public Space Protection Order (PSPO) which relates to people drinking alcohol or having open containers of alcohol in the streets. There is a heightened possibility that patrons from this premises who purchase alcohol for consumption off the premises will consume this on the street breaching the PSPO, and lead to instances of disorder and public nuisance.

With consideration to the close proximity of residential properties to the premises and the potential impact in terms of public nuisance, Licensing and Out of Hours team are concerned that given the lateness of the proposed hours the venue would become a “go to” premises for late night revellers. Attracting intoxicated people to the area from nearby late night licensed premises, and would not encourage customers to vacate the area. As a consequence increasing the potential risk for public nuisance and alcohol related anti-social behaviour.

Additionally there is a likely risk of public nuisance arising from noise from music breakout from inside the venue, from customers gathering outside (e.g. smoking) and from customers leaving the premises and dispersing past residential properties.

The applicant has proposed that smoking and dispersal policies currently in place on the existing premises licence shall continue to be adhered to, however on inspection of these the detail in them, particularly the smoking policy, is not sufficient. We would expect a premises proposing to open until 0500 to have more robust policies and conditions in place which should demonstrate how they intend to control entry into the premises, capacity and how they will manage exterior areas effectively.

The applicant has proposed that a sound limiter will be operated at the premises in order to prevent the breakout of music, however insufficient detail has been provided to ensure the necessary control required.

Licensing and Out of Hours also have concerns regarding the emptying of waste into receptacles and the collection of refuse during late hours. This could potentially cause disturbance to nearby residents. The applicant has offered no additional conditions in respect of ensuring that there is adequate arrangements for the storage of refuse or appropriate arrangements for deliveries and collections.

Taking the above into consideration Licensing and Out of Hours recommend that the variation application is refused in its current form.

Recommendation: Refuse Application