

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.	LPA 226977
Name of the Premises	Kids Palace Ltd
Address of the premises including postcode	3 Keymer Street, Manchester M11 3FY

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 operating schedule which accompanies the application offers hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

Also the hours applied for are excessive for a premises that is called Kids Palace and GMP are at a loss as to why anyone would apply for such hours for a premises which is clearly aimed at children.

The likely effect of the grant of the Premises Licence with such a scant operating schedule at such excessive hours is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	gemma.hunt@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No	REF 226977LD2
Name of Premises	Kids Palace Ltd
Address	3 Keymer Street, Manchester, M11 3FY

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 & Out of Hours Team (LOOH) have assessed the application taking into account the hours & activities applied for, the location of the premises & any impact the granting of the licence could have on the four licensing objectives.

The premises is located at a former primary school:



The premises advertises itself as 'Wise Steps Community Centre', please see below banner on the premises and attachment from the website relating to the services offered.



The applicant has applied for licensable activities to take place; including recorded music, late night refreshment & alcohol sales for on & off the premises on Friday's to Sundays (Monday morning) from 3pm until 5am.

The applicant has stated the opening hours for the premises will be from 10am until 2:30pm Monday to Thursday and from 10am until 5am Friday to Sunday (Monday morning). No drinking up/ dispersal time has been included.

The premises is located approx. a 5 minute walk away from the Etihad Stadium. It has not been stated if the applicant intends to open match days, providing alcohol for on or off sales to patrons.

The applicant has stated that the premises is a 'supplementary school' and a gathering place for the community. The 5am closing time implies the premises to be used as a late night venue more akin with a nightclub rather than a community centre. As such the LOOH team have concerns relating to the protection of children from harm and how the applicant will manage a supplementary school come nightclub. For example the hours applied for indicate that the premises will finish licensable activities at 5am on Monday mornings and reopen as a school at 10am.

In the operating schedule little information has been provided to assure the LOOH team that the applicant has considered the risks involved with carrying out licensable activities.

In particular box e) The Protection of Children from Harm of page M states: '.... but where alcohol is sold or served children will not be allowed. They will be allocated a room. They will be supervised by adults at all times'. This identifies that the applicant is likely not aware of the laws/ time restrictions relating to children on licensed premises and adds further concerns to how the children will be monitored and who will be doing the monitoring.

Box e) then goes on to say: 'We will involve the local authorities in case of allegation of abuse'. The LOOH team would expect that there is no risk that children should be abused on the premises.

The other conditions offered with sections b, c & d are duplications of existing law, unenforceable and fall far short of what the LOOH team would expect for a licence of this nature.

The Licensing & Out of Hours team request that the application is refused.

Recommendation:

Refuse Application

PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU

PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM

Your first name (required)

Allan

Your last name (required)

Rawcliffe

Your address including postcode (required)

Trading Standards Service
1 Hammerstone Road
Manchester
M18 8EQ

Contact email address

a.rawcliffe@manchester.gov.uk

Contact phone no

0161 234 1547

Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)

ABOUT THE PREMISES

Application Ref No. (if known):

Name of the Premises about which you would like to make a representation:

Kids Palace Ltd

Address of the Premises (including postcode if known):

Part of Old Primary School 6 Cambrian Street Manchester M11 3FY

YOUR REPRESENTATION

Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)

Trading standards feels there is a severe lack of detail in the application and is of a very poor standard, the applicant appears not fully aware of their responsibilities.

The applicant has failed to demonstrate in any detail, the steps they will take and what procedures they will implement to ensure the premises promote the Licensing Objective The protection of children from harm.

There is no mention of a challenge 21 or 25 policy, which is widely used and accepted throughout the trade as a vital tool to help ensure minors are unable to purchase alcohol. As a responsible authority, we would expect the applicant to give a comprehensive list of steps as to how they will ensure the requirements of the challenge policy are met.

Staff training has not been mentioned on the application, there is no indication of exactly what the training would be how this would be carried out, how often it would be repeated, recorded and monitored, to ensure

minors are not served alcohol.

In the application signage regarding the sale of alcohol to minors has not been included, prominent signage at the point of sale indicating it is an offence to buy or attempt to buy alcohol for a person under 18 would be required.

The application also fails to mention other robust procedures which are accepted as good practice such as staff training and the keeping of documented records.

Therefore trading standards would like the licence to be refused.

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

From: Fraser Swift <f.swift@manchester.gov.uk>

Date: Wed, 17 Apr 2019 at 11:26

Subject: Re: LPA226977 Premises Licence (new): Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY, (Ancoats and Beswick ward) – APPLICATION RESTARTED

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Application Type: Premises Licence (new)

Premises: Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY

This is an objection to the grant of this application on behalf of the licensing authority, in its capacity as a responsible authority.

I have considered this application having regard to the Licensing Act 2003, the section 182 Guidance, and Manchester City Council's current Statement of Licensing Policy 2016-21.

Paragraphs 8.41 – 8.49 of the s182 Guidance and Section 7 of the Council's Licensing Policy sets out that applicants are expected to take into account relevant to the individual characteristics of the premises and locality when preparing their operating schedule and applicants are encouraged to identify relevant factors through risk assessment of the local area of the premises before making the application. There is no suggestion that this has been done in respect of this application.

Section 8 of the Licensing Policy sets out a range of standards identified by the Council that is expected of licensed premises in Manchester. The applicant has not addressed these standards with respect to their premises and there is no evidence of any consideration (e.g. by way of risk assessment) of their premises relative to the standards or explanation for this omission, as recommended (8.3 of the Policy).

Applicants are expected to consider and propose all standards they regard as appropriate to promote the licensing objectives with respect to the individual circumstances of their application.

I consider the following Local Factors from Section 7 of the Policy to be relevant to this application:

- Identified risk factors specific to the licensed premises
- The availability of transport to and from the premises

The premises is in a remote location with industrial units on the surrounding roads. The premises describes itself as a 'community center (sic)' but there is no details of the nature of events it is intended to hold. The lateness of the hours proposed are typically high risk. Therefore, there is a wide remit in considering what issues are likely to be relevant to the operation of this venue.

Taking the above into account, in my opinion the following Standards from Section 8 of the Policy are relevant and would need to be addressed to ensure the promotion of the licensing objectives:

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

MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies

MS7 Maintain a safe capacity

MS8 Prevent noise nuisance from the premises

MS9 Effectively manage exterior spaces (eg. 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

Having regard to this premises and the proposed licensable activities applied for, it is submitted that there is a likely risk of crime and disorder; public nuisance; risk to public safety; and harm to children as a result of the Local Factors or Standards that I have identified not being adequately considered by the applicant and addressed through the proposal of appropriate steps in the operating schedule. The steps proposed give no confidence whatsoever in the prospective operation of the venue or the ability of the applicant to operate it,

Further, the applicant's failure to consider and identify relevant risks in respect of their premises also gives rise to concerns over their ability to operate a licensed premises in a manner that will promote the licensing objectives.

Therefore, for the reasons above, it is my opinion that granting this application would undermine the licensing objectives.

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Fraser Swift

Principal Licensing Officer

Planning, Building Control and Licensing

Strategic Development Directorate

Tel: 0161 234 1176

Internal: 800 31176

Mobile: 07814 134202

Email: f.swift@manchester.gov.uk

Postal Address: Premises Licensing, Manchester City Council, Level 1 Town Hall Extension, Albert Square, PO Box 532, M60 2LA (SatNav: M2 5DB)

Councillor Emma V Taylor (cllr.e.taylor@manchester.gov.uk)

1 Apr 2019, 19:27 (13 hours ago)

to me, Councillor, Councillor, Amanda, Peter

Dear Licensing,

I would like to submit an objection to the above licensing application.

The reasons why I am objecting to this application are because of the following: provision of regulated entertainment and supply of alcohol for consumption on and off the premises Fri to Sun 3pm to 5am.

I have concerns that this location for this premises is not suitable for the above, and I would urge the Licensing panel not to approve this application.

As Licensing may be aware, 3 Keymer Street is in the middle of Edwin Road industrial estate, adjacent to the Etihad Stadium. There are no other premises within close proximity of this site that have similar licenses like the one which has been applied for. This area is inappropriate to be considered as an area to start allowing premises to provide alcohol on and off the premises at unsocialable hours.

Additionally, the lack of detail in the application is concerning. As a local Councillor I have no understanding of what this premises would be used for, and am therefore concerned at what impact it would have on the local community.

I also have concerns about potential antisocial behaviour, especially if alcohol were to be sold until 5am Fri to Sun. This would have a negative impact on the local area.

Another concern is around the applicant's premises name 'Kids Palace'. It is not clear whether this premises is primarily for children or for adults and therefore I have concerns over the safeguarding of children where alcohol is sold until 5am.

I have copied in my ward colleagues into this email, along with Amanda Salmon (Neighbourhood Team Lead for Ancoats & Beswick, MCC) and PC Pete Hales, NBO for the Beswick area so they are aware of my objections.

Best wishes,

Councillor Emma Taylor

Labour member for Ancoats & Beswick

Assistant Executive Member

Manchester City Council