

## TRAFFORD COUNCIL

**Report to:** Licensing Sub-Committee  
**Date:** 18<sup>th</sup> May 2021  
**Report for:** Decision: Determination of Application  
**Report of:** Head of Regulatory Services

### Report Title

**APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT STRETFORD MALL PUBLIC REALM, CHESTER ROAD, STRETFORD, MANCHESTER, M32 9BD**

### Summary

Under S18(4) of the Licensing Act 2003, Members are requested to determine an application for a new premises licence in respect of Stretford Mall Public Realm, Chester Road, Stretford, Manchester, M32 9BD having regard to representations received and the requirement to promote the four licensing objectives.

### Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

### Contact person for access to background papers and further information:

**Name:** Katie Armstrong, Licensing Officer.  
**Contact:** Licensing@trafford.gov.uk

**Background Papers:** None.

**Appendices:**  
A) Application for a New Premises Licence  
B) Photograph of Blue Notice & Copy of Newspaper Advert  
C) Email correspondence from Responsible Authorities  
D) Representation

## **1.0 APPLICATION**

**1.1** A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by, Kuit Steinart Levy LLP on behalf of Trafford Bruntwood (Stamford Quarter) LLP in respect of Stretford Mall Public Realm, Chester Road, Stretford, Manchester, M32 9BD.

**1.2** The applicant has applied for the following hours:

**Plays – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Films – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Live Music – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Recorded Music – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Performance of Dance – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Like Music, Dance – Indoors & Outdoors**

Monday – Sunday 09:00 – 23:00

**Alcohol – On & Off**

Monday – Sunday 09:00 – 23:00

**Opening Hours**

Monday - Sunday 00:01 - 00:00

**1.3** The application has been properly made and all procedures correctly followed. The application including amended operating schedule has been attached as **Appendix A**. Photographs of the blue notice in place and copy of newspaper advert are attached as **Appendix B**.

## **2.0 BACKGROUND AND HISTORY OF PREMISES**

**2.1** The applicant has described the premises as: “Shopping centre and public realm space. The purpose of the licence is to allow for pop up events, such as food and drink markets or film screening to be held within the space as it is redeveloped, to promote the regeneration/redevelopment of the area.”

### **3.0 OPERATING SCHEDULE**

**3.1** The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003. They are listed below and will be attached as conditions to any licence as may be granted:

#### **A) The Prevention of Crime and Disorder**

1. A CCTV system shall be maintained and operated covering the square and the street.

2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.

3. SIA registered security staff shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands.

4. When employed, a register of those door staff employed shall be maintained at the premises and shall include: (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty.

5. Open containers of alcohol shall not be removed from the boundary of the site.

6. Staff who are to sell alcohol at any event will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.

7. During any event involving the sale of alcohol, a refusals book will be maintained, and made available to an officer of a responsible authority upon request.

#### **B) Public Safety**

8. Appropriate first aid equipment will be available at the premises at all times.

9. Regular safety checks shall be carried out by staff.

10. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

11. The premises shall maintain an Incident Log and public liability insurance.

#### **C) The Prevention of Public Nuisance**

12. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.

13. No noise shall emanate from the premises nor vibration be transmitted through any structures within the premises which gives rise to a nuisance.

14. The site shall be cleared of litter at regular intervals.

15. When any event involving licensable activities is taking place, notices will be positioned at exits to the site requesting customers to leave in a quiet manner.

#### **D) The Protection of Children From Harm**

16. During any event involving the sale of alcohol, a "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.

17. During any such event, notices advising that the Challenge 25 Policy is in force and advising on what forms of ID are acceptable must be displayed.

18. Staff employed to sell alcohol at any event will be trained on the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.

19. As part of any event's risk assessment, it's suitability for children and admissions policy shall be assessed.

**3.2** The below conditions were proposed by the applicant after correspondence with Responsible Authorities during the consultation period, attached as **Appendix C**. The conditions shall be attached to the licence if granted:

20. At least 14 days prior to any event in which licensable activities are to take place in any part of the multi-storey car park or external car parks, an event management plan shall be submitted to the Environmental Health Team at Trafford Council.

#### **4.0 CONSULTATION**

**4.1** The responsible authorities included in consultation are; Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.

**4.2** Of those consultees identified in paragraph 4.1, a representation was received from Rachael Hall, an Environmental Health Officer, in relation to the prevention of public nuisance associated to noise from regulated entertainment outside attached as **Appendix D**.

- 4.3 A copy of the report and the representations received have been sent to the applicant.
- 4.4 Those that have made a representation have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

## **5.0 LEGAL CONSIDERATIONS**

- 5.1 Conditions may only be attached to a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.
- 5.2 The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probabilities and any decision should be based on the individual merits of the application.
- 5.3 The Sub-Committee, in arriving at its decision; must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.
- 5.4 There is a right of appeal to the Magistrates Court within 21 days from the date the Applicant is notified of the decision of the Licensing Sub-Committee.