



AGENDA PAPERS FOR LICENSING SUB-COMMITTEE MEETING

Date: Thursday, 26 August 2021

Time: 6.30 pm

Place: Meeting held on Zoom

A G E N D A

PART I

Pages

1. ATTENDANCES

To note attendances, including Officers and any apologies for absence.

2. OBJECTION FROM GREATER MANCHESTER POLICE TO A TEMPORARY EVENT NOTICE ISSUED FOR UNIT 1, WHARFSIDE, TRAFFORD WHARF ROAD, TRAFFORD PARK, M17 1EX

To consider a report of the Head of Regulatory Services.

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SARA SALEH

Deputy Chief Executive

Membership of the Committee

Councillors B. Brotherton, D. Butt and S. Thomas

Further Information

For help, advice and information about this meeting please contact:

Miss Natalie Owen, Governance Officer

Email: natalie.owen@trafford.gov.uk

This agenda was issued on **Tuesday, 24 August 2021** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 26 August 2021
Report for: Decision for determination
Report of: Head of Regulatory Services

Report Title

**OBJECTION FROM GREATER MANCHESTER POLICE TO A TEMPORARY
EVENT NOTICE ISSUED FOR UNIT 1, WHARFSIDE, TRAFFORD WHARF ROAD,
TRAFFORD PARK, M17 1EX**

Summary

To consider whether or not to accept the objections from Greater Manchester Police and to decide whether to issue a counter notice under section 105 of the Licensing Act 2003.

Recommendation(s)

Having regard to the objection notice, consider whether it is necessary to accept the objection, and if the authority does accept the objection, to give the premises user a counter notice under section 105 of the Licensing Act 2003.

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) Temporary Event Notice
B) Objection Notice

1.0 BACKGROUND

- 1.1 Part 5 of the Licensing Act 2003 provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 168 hours) without the need for a premises licence or a club premises certificate.
- 1.2 These activities can take place on any premises by the authority of a Temporary Event Notice (TEN) given by an individual, a 'premises user', to the relevant Licensing Authority.
- 1.3 No permission is required from the Licensing Authority and only the Police and Environmental Health may intervene with a view to preventing such an event going ahead or to modify the arrangements for it.
- 1.4 A Temporary Event Notice must be given to the authority at least 10 working days before the event and a copy of the notice must also be given to the Police and Environmental Health.
- 1.5 Where the Police or Environmental Health are of the view that allowing the event to proceed would undermine the licensing objectives, they must, within three working days of receiving the TEN, give an objection notice to the premises user and the licensing authority, giving reasons for their decision.
- 1.6 If the Police or Environmental Health object to a TEN, the licensing authority must hold a hearing to determine whether or not it accepts the objections. Where the authority accepts the objections, it must issue a counter notice to the premises user in which case the event cannot proceed.

2.0 TEMPORARY EVENT NOTICE

On the 19 August 2021, the Premise User, Mr Greg Mcavoy served a Temporary Event Notice on the Licensing Authority for premises known as Unit 1, Wharfside, Trafford Wharf Road, Trafford Park, M17 1EX, a copy of which is attached as **Appendix A**.

2.1 Details of Temporary Event Notice:

Date: 11 September 2021

Times: 11:00 – 23:00

Location: Premise is adjacent to Old Trafford tram stop, the car park area will be used where an outdoor canopy will be erected

Activities: Sale of Alcohol (On & Off) and Recorded Music

- 2.2 On 20 August 2021, An objection to the notice under the prevention of crime and disorder licensing objective was received from Greater Manchester Police. A copy of which is attached at **Appendix B**.

3.0 OPTIONS

- 3.1** The TEN can be modified by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration.
- 3.2** The 2003 Act provides that only the Licensing Authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. There is not a premises licence in place, which means conditions cannot be added.
- 3.3** The Sub-Committee is requested to consider the objection notice, and consider whether it is necessary for the promotion of the licensing objectives to accept the objection; and if the Licensing Authority does accept the objections, to issue the premises user a counter notice under section 105 of the Licensing Act 2003.

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* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

☐ Yes ☒ No

* Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

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THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). ([See also guidance on completing the form, note 2](#))

* Does the premises have an address?

☒ Yes ☐ No

Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes ☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither ☐ Premises licence ☐ Club premises certificate

Location Details

* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

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Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
([see also guidance on completing the form, note 6](#)):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment
- ☐ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

([See also guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 8](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 9](#))

Event start date

11

 /

09

 /

2021

dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

11

 /

09

 /

2021

dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

11:00-23:00

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

499

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- ☐ On the premises only
- ☐ Off the premises only
- ☒ Both

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RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Recorder music. 11:00-23:00

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PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

- ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Salford City Council

Licence number

Date of issue

/ /

dd mm yyyy

Any further relevant details

Section 7 of 9**PREVIOUS TEMPORARY EVENT NOTICES** ([See also guidance on completing the form, note 15](#))

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐

Yes

☒

No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9**ASSOCIATES AND BUSINESS COLLEAGUES** ([See also guidance on completing the form, note 16](#))

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes ☒ No

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief.
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/trafford/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY	
Applicant reference number	<input type="text" value="Wharfside"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Karen Packer
Address including postcode	Talbot Road, Stretford, Manchester M32 0UX
Contact Email Address	Karen.packer@gmp.police.uk
Contact Telephone Number	0161 856 7745

About the Premises

Application Reference No.	Temporary Events Notice Licensing Act 2003
Name of the Premises	
Address of the premises including postcode	Unit 1, Wharfside, Trafford Wharf Road, Trafford Park, M17 1EX

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 Temporary Events Notice in relation to the premises, Unit 1 Wharfside, Trafford Wharf Road, Trafford Park, Manchester M17 1EX on the grounds of Prevention of Crime and Disorder and the Prevention of Public Safety,

The notice is seeking to allow the premises to operate and include the sale of alcohol for a maximum of 499 people on Saturday 11th September 2021 a day where Manchester United vs Newcastle United football match is occurring at Manchester United Football Ground, Old Trafford. The notice requests alcohol to be consumed on and off the premises.

On 24th May 2002 a Designated Public Space Order was granted to Trafford which was a provision for combatting alcohol related disorder in a designated public place. This legislation was replaced by the Anti-Social Behaviour, Crime and Policing Act 2014 which introduced Public Spaces Protection Orders (20th October 2014). The transition period allowed for the DPSO to stay as it was for three further years, at which point it converted to a Public Space Protection Order. On 15th October 2020, following a public consultation, the order was extended for a further three year period until 15th October 2023

This order was obtained to prevent alcohol related issues / street drinking and allows a constable to dispose of anything surrendered to him in such a manner as he considers appropriate. A person who fails without reasonable excuse to comply with a requirement imposed on him commits an offence and is liable on conviction to a fine.

In the likely event that a customer leaves the premises and is seen by a constable to be carrying alcohol, this is likely to cause disorder when the constable requests the surrender of that alcohol

The applicant has not satisfactorily demonstrated how they will deal with the potential issue of customers who may attempt to leave the premises with an open vessel into an area where a Public Space Protection Order exists. The applicant has requested off sales. It is a possibility those leaving this venue with alcohol are attending the football game and will therefore be in breach of the Public Space Protection Order

The applicant has failed to demonstrate the following points.

- How they will deal with customers who are intoxicated, disorderly or threatening and are attempting to be served alcohol from within the premises when there has been no confirmation that sufficient SIA door staff will be employed to maintain order within the premises at all times.

- In what vessels alcohol will be served. In the event alcohol is consumed on the premises or removed from the premises in open glass / cans, this is likely to affect public safety should that vessel be used as a weapon in a violent situation.
- How will the venue manage the 499 capacity? Will the venue operate as a ticket event, how will the venue know when they have reached capacity.
- Who will be permitted into this venue? Will the venue accommodate home and away supporters with the potential of disorder occurring if the two supporting teams are within the same venue?
- How will they prevent alcohol being sold or consumed by under 18's?
- Will CCTV be in operation recording throughout the day to capture incidents if they occur

The Government introduced Temporary Events to make a provision for small scale one off events, or situations where Premises Licences do not meet the need of a particular function, however Greater Manchester Police conduct a robust policing operation on match day events at Old Trafford to ensure the day passes peacefully with as little disruption as possible to the community and business in the Trafford District

The lack of information on this notice leads GMP to believe that they have not anticipated any problems or how they would deal with those problems if they occurred.

Greater Manchester Police therefore request that this notice is refused.