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Janine Renshaw-Livesey
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

30th January 2013

Our Ref: 12/1491

Dear Ms Renshaw-Livesey,

Additional Information - 76-78 Deansgate, Manchester, M3 2FW

This note is submitted on behalf of ABA Leisure (Seven) Limited in respect of a recently submitted planning application seeking to use approximately 4.4sqm of the pavement at the front of the premises, for the placing of 4 barriers and the creation of a supervised smoking area.

The purpose of this note is to provide the Council with additional information to justify that the position of the proposed barriers (Figure 1), is the most reasonable location to satisfy the Council's ambition to regularise a smoking area outside the premises.

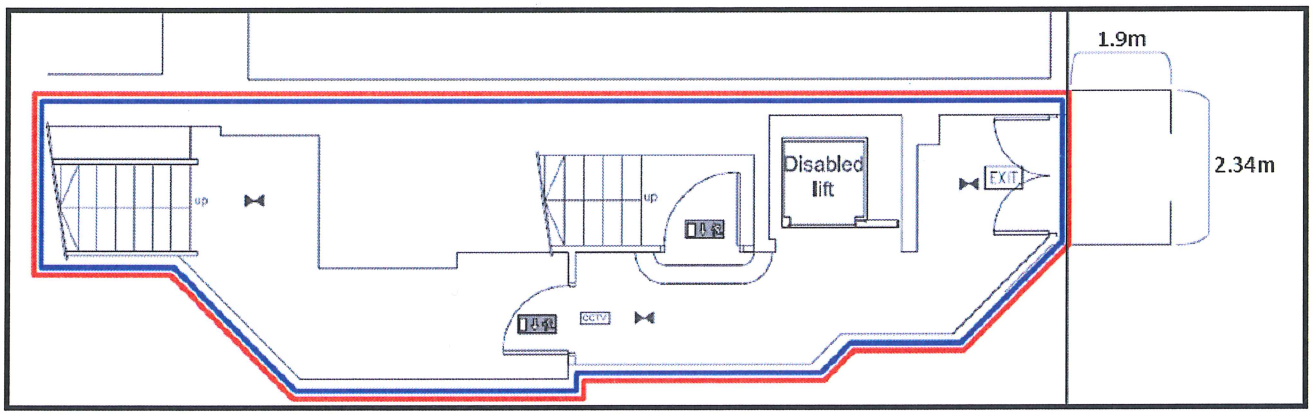


Figure 1: Proposed Barrier Configuration

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It was requested to explore alternative locations to provide a smoking area. The only possible location to serve the premises would be on the narrow road to the rear of the premises. College Land is predominantly used for operational activities to service the mix of commercial uses located Deansgate. This includes the storage and collection of refuse and the provision of plant machinery such as air conditioning and extraction units. College Land, to the rear of the premises is shown below in Figure 2.

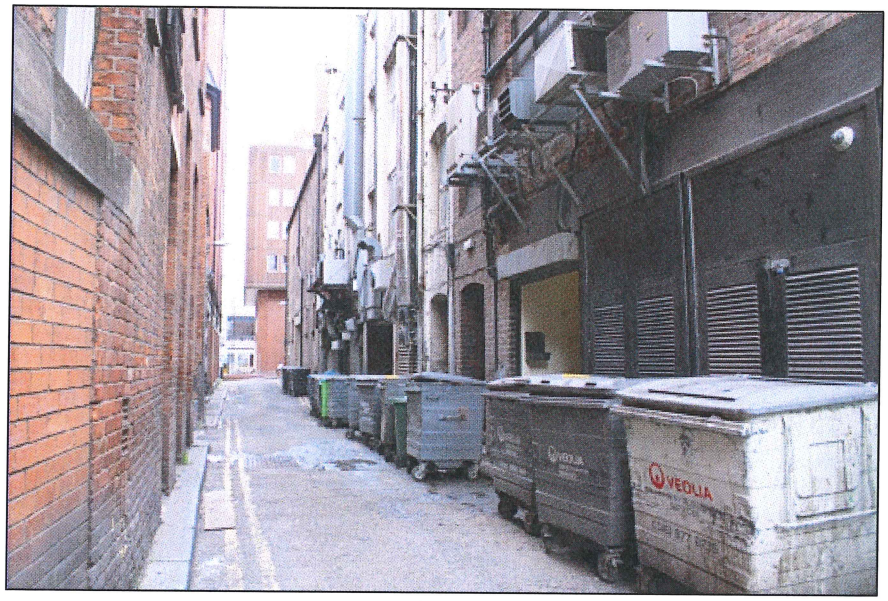


Figure 2: College Land (Facing North)

The premises benefits from having access to two fire exits located on the ground floor at the rear of the premises, these are clearly shown on the attached floor plan (Drawing No. 08.22/01). Although these exits can be accessed freely by customers in the event of the fire alarms being activated, access is not permitted to these areas of the premises during normal operation. This is to ensure the security of management and staff facilities in accordance with licensing conditions 29 and 30. The use of the rear of the premises as a smoking area would therefore require customers to enter prohibited areas of the club including the manager's office and performers changing room. Of course, public access to these areas would be unacceptable in terms of privacy and security, as directed by licensing conditions.

In addition to the security concerns outlined above, the rear of the premises is clearly inappropriate for use as a smoking area. The nature of this area is to facilitate the operation of various daytime and night-time commercial uses on Deansgate. As shown in Figure 2 and 3, College Land houses a number of large refuse containers with plant machinery located on the rear elevation. The use of either one of the rear fire exits as a

smoking area would pose significant security and health risks to both customers and members of staff. Further, it is a requirement of the license to have the area supervised by an SIA registered door supervisor at all times, which would be entirely inappropriate for this location.



Figure 3: Rear Elevation facing College Land

At the October 2011 hearing, the licensing sub-committee raised issues regarding customers wanting to smoke outside the premises and dispersing along Deansgate with the potential of causing disturbance. The committee therefore sought to regularise this issue by ensuring that the provision of a supervised smoking area would restrict the number of people using this area to 4 customers and 2 staff at any one time, as well as separating customers from members of staff. Of course, without the implementation of the proposed smoking area, this condition could not be satisfied and the Council's aspirations to control smoking outside the premises would not be realised.

The front of the premises is the most appropriate location for the smoking area as it can be managed most effectively in this location. SIA registered door supervisors will ensure that licensing conditions are complied with and ensure minimal impact on Deansgate. This section of Deansgate houses a number of bars and restaurants and barriers placed on the pavement for tables, chairs and smoking areas are a regular occurrence to serve the businesses in the centre both in the day and in the night-time periods.

The proposed smoking area is of a reasonable size to allow a maximum of 4 customers and 2 members of staff to smoke at any one time whilst leaving over 2.8m on the pavement clear for passing pedestrians. The nearest street furniture is located approximately 3.1 metres from the edge of the proposed area and in line with national and local guidance, would not obstruct pedestrians using the Deansgate footpath.

The proposals therefore offer the most reasonable approach to sufficiently satisfy the Councils concerns to control smoking customers and members of staff at the premises.

Please do not hesitate to contact me at this office if you require any additional information.

Yours sincerely,



James McAllister
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