



Licensing Sub Committee Hearing Panel

Date: Tuesday, 20 November 2018

Time: 10.00 am

Venue: Room 1009, Level 1, Town Hall Extension.

Everyone is welcome to attend this committee meeting.

Access to the Town Hall

Public access to the Town Hall Extension is via the Customer Service Centre.
Please approach a member of our security team who will show you where to wait.

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Stone (Chair), Paul and Grimshaw

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

- | | |
|---|---------------|
| 4. Application for a New Premises Licence for European Mini Market, 762 Stockport Road, Manchester, M12 4GD | 5 - 6 |
| 5. Application for a New Premises Licence for Blossom Street Social, Unit 4 Smiths Yard, 51 Blossom Street, Manchester, M4 6AJ | 7 - 8 |
| 6. Application for a New Premises Licence for Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW | 9 - 86 |

Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This agenda was issued on **Monday, 12 November 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 220607
Name: European Mini Market
Address: 762 Stockport Road, Manchester, M12 4GD
Ward: Longsight
Application Type: Premises Licence (new)
Name of Applicant: Khalid Azizi
Date of application: 02/10/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

The supply of alcohol for consumption off the premises only:

Mon to Sun 8am to 12 Midnight
 Non standard timings not applied for

Opening hours:
 Mon to Sun 8am to 12 Midnight
 Non standard timings not applied for

Representations received

Licensing & Out of Hours
Compliance

Prevention of Public Nuisance

Agreements between parties**Licensing & Out of Hours Compliance:**

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the premises quietly.
2. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
3. The premises shall display prominent signage indicating that it is an offence to buy, or attempt to buy alcohol for a person under the age of 18.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 221073
Name: Blossom Street Social
Address: Unit 4, Smiths Yard, 51 Blossom Street, Manchester, M4 6AJ
Ward: Ancoats and Beswick
Application Type: Premises Licence (new)
Name of Applicant: Wine Aligned Limited
Date of application: 10/10/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:

For consumption both on and off the premises:

Friday and Saturday 11pm to 12 Midnight

Seasonal Variation- From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

The supply of alcohol

For consumption both on and off the premises:

Sunday to Thursday 10am to 11pm

Friday and Saturday 10am to 12 Midnight

Seasonal Variation - From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day

Opening hours:

Sunday to Thursday 10am to 11.30pm

Friday and Saturday 10am to 12.30am

Seasonal Variation: From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Representations received

Licensing & Out of Hours
Compliance

Prevention of public nuisance

Agreements between parties**Licensing & Out of Hours Compliance:**

Agreed Conditions

1. No rubbish, including bottles, shall be moved, removed or placed in bin store areas or collected between 20:00 and 08:00 hours.
2. Customers leaving the premises will be requested to talk quietly and leave area in an orderly manner.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 220708
Name: Joel's Grill
Address: 317 Wilmslow Road, Manchester, M14 6NW
Ward: Fallowfield

Hearing Date: 20/11/2018

Application Type: Premises Licence variation
Name of Applicant: Joel's Grill Ltd
Date of application: 08/10/2018

Summary of application

Provision of regulated entertainment (recorded music and anything of a similar description to live music, recorded music or performances of dance):

Current hours (recorded music only): Mon to Sun 11am to 11pm.

Proposed hours: Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

Provision of late night refreshment:

Current hours: Mon to Sun 11pm to 12 midnight.

Proposed hours: Mon to Wed 11pm to 12 midnight, Thu 11pm to 1am, Fri to Sat 11pm to 2am, Sun 11pm to 1am.

Supply of alcohol for consumption on the premises only:

Current hours: No alcohol sales currently permitted.

Proposed hours: Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

Opening hours:

Current hours: Mon to Sun 11am to 12 midnight.

Proposed hours: Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

Representations Received

Responsible Authority

Grounds For Representation

<ul style="list-style-type: none"> • Greater Manchester Police 	<ul style="list-style-type: none"> • Crime and disorder • Public nuisance • Special Policy Area
<ul style="list-style-type: none"> • Licensing & Out of Hours Compliance 	<ul style="list-style-type: none"> • Public nuisance • Special Policy Area
<ul style="list-style-type: none"> • Licensing Authority 	<ul style="list-style-type: none"> • Public nuisance • Special Policy Area
Other Persons	
<ul style="list-style-type: none"> • 11 Residents • 1 Business 	<ul style="list-style-type: none"> • Public nuisance • Crime and disorder • Special Policy Area

Considerations

In determining the application, the Sub-Committee must give appropriate weight to:

- a) the steps that are appropriate to promote the licensing objective(s);
- b) the representations (including supporting information) presented by all the parties;

In determining the application, the Sub-Committee must also have regard to:

- c) the s182 Guidance to the Licensing Act 2003 by the Home Secretary;
- d) Manchester City Council's Statement of Licensing Policy
- e) The Licensing Act 2003 and the regulations made there under
- f) Licensing Objectives

Reasons should be given for any departure from c and d above.

Variation of a premises licence

The Sub-Committee must take such of the steps under section 35(4) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To modify the conditions of the licence;
2. To reject the whole or part of the application;

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the conditions of the premises licence includes restricting the times at which licensable activities to be varied through the application can take place.

Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, the application should be granted in the terms applied for.

Summary of representations

Please be advised that the below is a summary of representations received only. Copies of the representations are included at the back of this document for members and other interested parties to refer to as necessary.

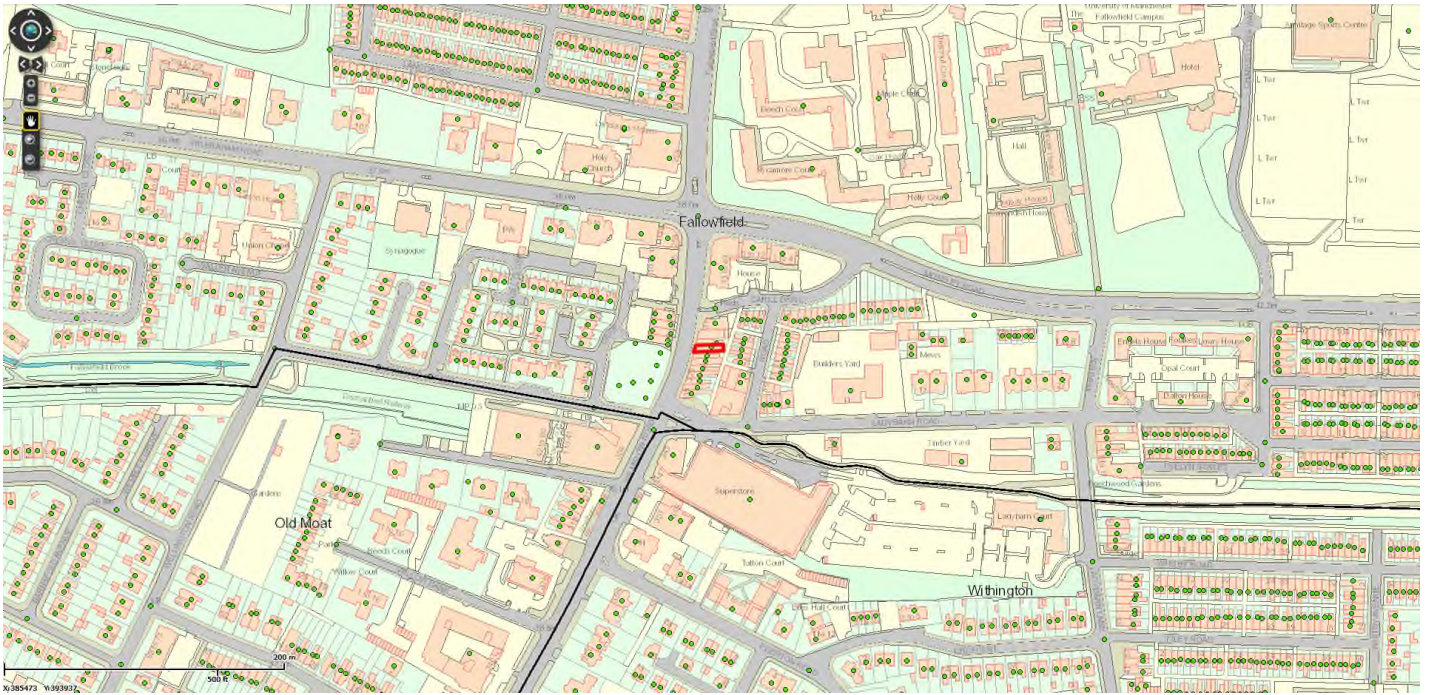
The representation from GMP raises concerns that increased hours and the sale of alcohol will add to public nuisance in the form of noise, littering and anti-social behaviour in the Special Licensing Policy Area and that the applicant has not demonstrated in the operating schedule that the variation will not add to cumulative impact in the area. Recommendation is to refuse application.

The representation from OOH raises concerns regarding the cumulative impact in the Special Licensing Policy Area and that contradictory statements in the operating schedule lead to the conclusion that the premises will operate as a bar or night club rather than a restaurant. No new plan has been

submitted to enable the change from a takeaway to a restaurant and no DPS has been nominated in the application. Sufficient detail has not been included to show how the premises will not add to existing problems in the area of anti-social behaviour, pre-loading, noise nuisance, drunkenness, vandalism and litter. Recommendation is to refuse the application.

The representation from the Licensing Authority raises concerns that the impact of the venue as proposed carries a risk of undermining the licensing objectives and that the grant of this application would likely exacerbate the problems in the area. It is not considered that any conditions could be imposed on the licence to enable the premises to operate to the hours applied for without adding to the cumulative impact already being experienced. The applicant has not demonstrated why there would be no addition to the cumulative impact already being experienced from the operation of the premises. Therefore, the application should be refused, in accordance with the Council's policy, to ensure the promotion of the licensing objectives.

The representations from residents and the University of Manchester raise concerns regarding the cumulative impact in the Special Licensing Policy Area in particular crime and disorder, anti-social behaviour, noise nuisance, drunkenness and increased hours of operation and sale of alcohol into the early hours. There are concerns that the premises will operate as a club rather than as a restaurant as indicated by measures suggested in the operating schedule. Residents request that the application be refused.



Joel's Grill
317 Wilmslow Road, Manchester, M14 6NW



PREMISE NAME:	Joel's Grill
PREMISE ADDRESS:	317 Wilmslow Road, Manchester, M14 6NW
WARD:	Fallowfield
HEARING DATE:	20/11/2018

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We JOEL'S GRILL LTD

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 157915
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 317 WILMSLOW ROAD			
Post town	MANCHESTER	Postcode	M14 6NW

Telephone number at premises (if any)	01612570900
Non-domestic rateable value of premises	£15500

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	MANCHESTER	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The nature and activities we have proposed for this variation are as follows

1. Extending the hours of recorded music.
2. Sale of alcoholic drink during opening hours. Sale will be restricted to within the premises only.
3. Extension of hours premise is open to the public.
4. Host talk shows, events and gathering during opening hours.
5. Extending the hours of late night refreshment

I would like the operating schedule in box M to replace the conditions in Annexes 2 and 3 of the current premise licence.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 6)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the <u>performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon	11:00	24:00						
Tue	11:00	24:00						
Wed	11:00	24:00				State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	11:00	02:00						
Fri	11:00	03:00				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	03:00						
Sun	11:00	01:00						

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>				
					Outdoors	<input type="checkbox"/>				
					Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)							
Mon										
Tue										
Wed							<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Thur										
Fri							<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sat										
Sun										

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing INHOUSE COMEDY AND TALK SHOW		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	24:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	24:00	<u>Please give further details here</u> (please read guidance note 5)		
Wed	11:00	24:00			
Thur	11:00	02:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri	11:00	03:00			
Sat	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun	11:00	01:00			

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – <u>please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	23:00	24:00			
Tue	23:00	24:00			
Wed	23:00	24:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	23:00	02:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	11:00	24:00						
Tue	11:00	24:00						
Wed	11:00	24:00						
Thur	11:00	02:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11:00	03:00						
Sat	11:00	03:00						
Sun	11:00	01:00						

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	24:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	11:00	24:00	
Wed	11:00	24:00	
Thur	11:00	02:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	01:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The premises shall operate as restaurant, takeaway/delivery and events place in which

For restaurant and events;

- i. customers are shown to their table.
- ii. Food will be in form of table meals prepared on the premise, served and consumed at the table using non-disposable.
- iii. Entertainment by way of stand-up comedy/talk show whilst prospective customers enjoy their meals. This will be mostly during events.

Takeaway/delivery

- i. Premises will only provide takeaway/delivery services of food and soft assorted drinks only. Intoxicating liquor shall not be sold or supplied for purpose of takeaway/delivery or consumption outside of the premises.

b) The prevention of crime and disorder

- i. Implementation of effective security measures where staff shall be briefed and be aware of their responsibilities and duties with the company.
- ii. Documented quarterly review of security incidents at the premises.
- iii. Effective management of queues outside the premises. Queue will be in an orderly and supervised by a licensed door supervisor.
- iv. A minimum of 2 SIA licensed door supervisors shall be on duty to control and manage entry and exit from the premises. Door supervisors shall be briefed of their responsibilities inline with company operating procedures before commencement of duties.
- v. All persons entering the premise after 23:00 must provide verifiable Identification else will be denied entry.
- vi. Implementation of a documented reporting procedure. Incident logs shall be kept at the premises for at least 6 months and will be made available on request to GMP or any authorised officer of the licensing authority.
- vii. Operations of a documented policy that guarantees appropriate searches by SIA Supervisors after 23:00 before entry or re-entry to the premises in an area monitored by CCTV.
- viii. A clear visible notice shall be placed at the entrance of the premises advising those attending after 23:00 that it is condition of entry that customers agree to being searched and that the police will be informed if anyone is found in possession of controlled substance or weapons.
- ix. Provision of Comprehensive, documented and adequate training of staff in age restriction, recognising signs of drunkenness, refusing service, premises' duty of care, reporting procedure, emergencies to spot, prevent and mitigate against bringing illegal drugs, spiking, weapons or illegal items onto the premises.
- x. Use of Nitenet radio service at the premises. The nitenet shall be operational at all times the premises are open to the public and will be used to report incidents of crime and disorder to the CCTV control.

- xi. There shall be no self-service of spirits on the premises.
- xii. The premise shall display signage indicating that it is an offence to sell alcohol to anyone who is drunk.
- xiii. Effective monitoring of premises including the use of CCTV.
- xiv. Ensuring that all alcohol sales are properly authorised. Written notice of authority will be kept at the premises for all staff who sell alcohol and this notice shall be made available for inspection upon request of the police or authorised officer of the licensing authority.
- xv. Alcohol after 23:00 will be served in plastic glasses.
- Xvi. Opened containers of alcohol shall not be removed from the premises whatsoever.

c) Public safety

- i. Maintaining a safe capacity.
- ii. Ensuring fire safety procedure are in place and up to date. Fire fighting equipment shall be inspected and serviced in line with the appropriate British standard.
- iii. Use of a daily pre-opening and closing checklist.
- iv. Premises shall provide a comprehensive documented staff training on Public safety, first aid, fire safety and evacuation procedures for the premises.
- v. Implementation of appropriate anti-terrorism measures.

d) The prevention of public nuisance

- i. Prevention of noise breakout from the premises.
- ii. Speakers shall not be operated in the entrance lobby or outside the premises.
- iii. Staff Regular monitoring of customers smoking outside the premises ensuring patrons do not cause public nuisance.
- iv. There shall be no admittance or re-admittance to the premises after 02:00 on Fridays and Saturdays and after 01:00 on Thursday.
- v. Communication and integration with local residents and businesses. A direct telephone number for the manager of the premise shall be publicly available at all time that the premise is open.
- vi. Appropriate Cleaning arrangement ensuring that the premises and surrounding area are kept clean and free of litter at all times the premises are open to the public.
- vii. Use of flyers and promotional material shall be done in a responsible and appropriate manner.
- Viii. The premise shall ensure adequate arrangements for secure and responsible storage of refuse.
- ix. All deliveries to the premises shall be made via the rear of the premises.
- x. The Premises shall display notices at all exits requesting customers to respect the needs of local residents and leave the premise quietly.
- xi. Use of dedicated taxi/private hires service or advising customers on available public transport.

e) The protection of children from harm

- i. no admission for children under the age of 18 unless accompanied by an adult over the age of 18.
- ii. No events solely for those under the age of 18 will be permitted on the premises.
- iii. The premises shall display prominent signage at all times indicating that it is an offence to buy or attempt to buy alcohol for a person under the age of 18.
- iv. The challenge 21 scheme shall be operational at the premises to ensure that any person who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age.
- v. Adequate, comprehensive and documented staff training to prevent underage sale of alcohol.
- vi. Adequate Flow management training system in place to monitor staff training.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	05/10/2018 ✓
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) NOSA HENRY ODIGIE [REDACTED]			
Post town	MANCHESTER	Post code	[REDACTED]
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	157915
Granted	22/01/2014
Latest version	Licence transfer 218426 granted 27/09/2018

Part 1 - Premises details

Name and address of premises
Joel's Grill 317 Wilmslow Road, Manchester, M14 6NW
Telephone number
0161 848 0210

Licensable activities authorised by the licence
<ol style="list-style-type: none"> The provision of regulated entertainment, limited to: Recorded music; The provision of late night refreshment.

The times the licence authorises the carrying out of licensable activities

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
None							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2400	2400	2400	2400	2400	2400	2400
Licensed to take place both indoors and outdoors. No takeaways to be purchased from the shop after 23:00. The restaurant to operate a dine-in and delivery service only from this time							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	2400	2400	2400	2400
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder

Name: Joel's Grill Ltd
Address: 317 Wilmslow Road, Manchester, M14 6NW
Registered number: 11398607

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Annex 1 – Mandatory conditions

Door Supervisors

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
 - (a) Unauthorised access or occupation (e.g. through door supervision),
 - (b) Outbreaks of disorder, or
 - (c) Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

Annex 2 – Conditions consistent with the operating schedule

1. An effective and adequate CCTV system shall be installed, maintained and operated at the premises.
2. Notices shall be displayed to inform customers that any anti-social behaviour will be reported to the police.
3. Management shall work with the officers from the Council to set the limit of the sound played from the jukebox, which will play background music only.
4. Any complaints will be dealt with promptly.
5. Delivery drivers shall be instructed not to use "high beam" lights.
6. The loading of orders into delivery vehicles shall take place as quickly as possible.

Annex 3 – Conditions attached after hearing by the licensing authority

1. No takeaways to be purchased from the shop after 2300. The restaurant shall operate a dine-in and delivery service only from this time.
2. Noise or vibration shall not emanate from the premises so as to give rise to a nuisance to other premises
3. Delivery drivers shall be instructed to enter and leave their vehicles quietly and considerately, not to leave engines running, to park considerately, and at all times to have in mind the neighbours and in particular residential occupiers.
4. Delivery drivers will not sound their vehicle horns whilst outside the delivery address
5. A written record of all staff training to be held at the premises

6. An adequate number of litter bins shall be provided for waste packaging and food
7. Notices shall be displayed in the premises instructing customers to leave the premises in a quiet, orderly manner and to give consideration to nearby residents.
8. Staff will take all reasonable steps to ensure that customers do not congregate outside the premises
9. Refuse shall not be emptied into bins between the hours of 2000 and 0800
10. Waste collections shall not take place between 2000 and 0800
11. The area outside the premises will be kept clean and tidy. Staff will be required to remove all litter associated with the premises on a regular basis throughout the licensed hours and in particular will clear any litter when the premises closes
12. Regulated entertainment shall cease at 2300

Annex 4 – Plans

See attached

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPV 220708
Name of the Premises	Joel's Grill
Address of the premises including postcode	317 Wilmslow Road, Manchester M14 6NW

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 application for a premises licence in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The premises are situated on Wilmslow Road, Withington which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically the application is seeking to allow the provision alcohol until midnight Monday to Wednesday, Until 1 am on Sundays, until 2am on Thursdays and until 3am on Fridays and Saturdays.

This will undoubtedly create further noise disturbance which will obviously add to what is already being suffered by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other anti social behaviour and to allow the premises to remain open until these times is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The littering, damage and anti social behaviour caused by late night revellers is something which the local residents have had to endure for far too long and their quality of life needs to be made the priority in all licence applications in this area.

The area where the premises are situated is now subject to a Cumulative Impact Policy due to the problems in the area with night time economy related incidents.

There is therefore a strong presumption against further premises which sell alcohol in this area and GMP can see no reason why this should not be the case with this application. The applicant has not

demonstrated how by remaining open until such late hours they will not add to the cumulative issues within the area.

MCC's licensing policy states that a genuinely exceptional case would need to be shown. The reasons for this exception should be shown within the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.

Greater Manchester Police would therefore ask that the application be refused.

Licensing & Out of Hours Compliance Team - Representation	
Name	Rachel Broadbent
Job Title	Licensing and Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	rachel.broadbent@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details	
Application Ref No	220708
Name of Premises	Joel's Grill
Address	317 Wilmslow Road, Manchester, M14 6NW

Representation
<p>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.</p> <p>The licensing and out of hours team have considered this variation application taking into account the area in which the premises is situated, the activities and extensions being applied for, Manchester City Councils' Cumulative Impact Policy, <i>Statement of Licensing Policy 2016 – 2021 (SLP)</i> and the four licensing objectives.</p> <p>The application is to significantly extend the hours of the premises and to add alcohol as a licensable activity. The premises has recently been transferred to the applicant and the Premises Licence Holder (PLH), therefore; has no trading history at this premises. Due to the lack of trading history, the substantial changes applied for and the new business model, it has been assessed that this is in effect a new application and will be treated as such in this representation, <i>SLP Section 4.2, 17</i>.</p> <p>The premises is situated within Manchester City Council's Fallowfield Cumulative Impact Area (CIA), <i>SLP Appendix 7</i>.</p> <p>An application should be refused for new and variation applications unless the applicant can demonstrate why they will not add to the existing problems in the CIA, <i>SLP Section 5.7</i>. Many of these problems arise when patrons leave the premises late at night/early morning and include:</p> <ul style="list-style-type: none"> • Preloading • Anti-social behaviour • Noise nuisance • Drunkenness • Vandalism • Litter, <i>SLP Section 5.2</i> <p>The operating schedule provided for 317 Wilmslow Road lacks sufficient detail to describe the type of premises it will become <i>Application 220708/PW5 Section M 1, SLP Section 4.1, 4.2</i>. From the information offered in the application the proposed business does not appear to be of a differing</p>

experience than is already operating in this saturated CIA *SLP Section 4.7, 5.7, 5.8*. The operating schedule and the conditions offered also imply that this premise is going to be the type of premise that will in fact add to existing problems in the area *SLP Section 5.2, 5.10*.

The application provides contradictory information, advising firstly that the premises will trade as a restaurant, *Application 220708/PW5 Section Ma*, and then offers conditions that are more appropriate to an alcohol led premises, such as a bar or night-club, *Application 220708/PW5 Section Mb*:

biii. 'expecting a queue'

biv. 'expecting the need for door security'

bx. 'use of Nitenet'

bxv. 'use of plastic glasses'

div. 'no re-admittance after 2am';

Furthermore; the application fails to take into account the sensitive nature of the CIA. The times requested are excessive in a residential area already suffering from an accumulation of problems. There is also no staggering of the times with alcohol and opening hours finishing together. Coupled with the fact that no dispersal policy has been offered demonstrates that the licence holder has not properly risk assessed, or considered; the problems in the area in which the premises is to be operated, *SLP Section 4.7, 5.2, 5.5, 5.10*.

The application includes a number of conditions which are not sufficient, some of which are ambiguous and unachievable.

There has been no new floor plan submitted and it is difficult to perceive that the layout will have not changed from its current layout as a take-away to its proposed use as a restaurant. Therefore; if the licence is granted, there is a high possibility that offences are going to be committed as soon as trading begins, *SLP Section 6.15 – 6.19*.

The application offers, as part of its conditions, that all alcohol sales are properly authorised, *Application 220708/PW5 Section Mbxiv*. The applicant has not offered a named Designated Premises Supervisor (DPS) as part of this application. The DPS is an important role as they are responsible for the alcohol sales of the premises, *SLP Section 15*. Under the Licensing Act 2003 an application must have a Premises Supervisor specified, *Licensing Act 2003, c17, Part 3, Section 17 3c*. Without a Designated Premises Supervisor it is viewed that the applicant will be contravening the Licensing Act 2003 upon trading, *Licensing Act 2003, c17, Part 3, Section 19 2a*.

The Licensing and Out of Hours Team, LOOHT, do not believe this application rebuts the presumption described in the Special Policy for Fallowfield, *SLP Section 5.10* and believe if the application is granted it will add to the problems in the area. We therefore ask the committee to refuse the application.

Recommendation: Refuse Application

From: **Fraser Swift** <f.swift@manchester.gov.uk>
 Date: 5 November 2018 at 11:43
 Subject: Re: Premises Licence variation application 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
 To: Premises Licensing <premises.licensing@manchester.gov.uk>

On behalf of the Licensing Authority, as a Responsible Authority, I am objecting to the grant of this variation application to the existing premises licence to increase the operating hours at this venue as I believe it is likely to undermine the promotion of the licensing objectives for the reasons set out below:

Special Licensing Policy and failure to address it

The Council has adopted a special policy in respect of cumulative impact and saturation for the area in which the premises is located. This policy 'Cumulative Impact and saturation policy in respect of Fallowfield/Wilmslow Road' is set out in Section 5 of the Council's Statement of Licensing Policy 2016-21.

The effect of the special policy is that the Council will refuse applications for variation of an existing premises licence, whenever it receives relevant representation, unless an applicant can demonstrate why the operation involved will not add to the cumulative impact already being experienced. In relation to variations, this includes any variation to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations" (5.7 – 5.8).

The policy applies to all licensable activities (5.9).

As set out in Section 5 of the Council's Statement of Licensing Policy, the reasons for the special policy approach include:

"...the policy in Fallowfield aims to prevent further alcohol-related crime and anti-social behaviour arising in the area from customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime, antisocial behaviour and hours likely to affect the ability of local residents to get a good night's sleep. Additionally the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to ... hot food takeaway wrappers at the end of the night".

The surrounding areas of Fallowfield and Withington suffer from disproportionate levels of litter, particularly caused by the high numbers of late night takeaways in Fallowfield. Residents also suffer from noise disturbance and antisocial behaviour from people once they have left licensed premises and are returning home during the early hours of the morning.

5.10 of the policy states "Applicants ... will need to address the implications of the Special Policy in order to rebut this presumption (to refuse applications to extend the hours for licensable activities).

The applicant has failed to demonstrate why the operation involved will not add to the cumulative impact already being experienced.

Operation of the venue

The premises states it shall operate "as restaurant, takeaway/delivery and events place". The events are described as "stand-up comedy/talk show". However, further clarification is needed on how this premises will operate e.g. menu / promotions etc. 7.7 of the Council's licensing policy sets out that many different factors, including the activities and entertainment at the premises, can have a direct effect on the likely impact of the venue on the promotion of the licensing objectives.

The lateness of the proposed hours mean it is likely that the operation of the venue will deviate during later hours, particularly at weekends, from a restaurant and is likely to be alcohol-led.

The current licence was granted to 23rd Street Pizza with the cumulative impact policy in place, enabling the premises to operate as a restaurant. The venue had sought to operate to later hours and with a takeaway provision, and these were specifically rejected by the committee when deciding to grant the application. However, this operator now seeks to introduce these elements, which give me cause for concern having regard to the limited information available on the proposed operation of this venue.

Steps to promote the licensing objectives

The applicant has proposed a comprehensive range of steps in the operating schedule in order to promote the licensing objectives. However, some steps appear to be missing detail or require further scrutiny to fully establish what operational measures will be in place. For example, during what time and on what days will door supervisors be employed at the premises? What is meant by 'adequate, comprehensive ... staff training to prevent underage sale of alcohol'?

History of operator and venue

Very little is known about the operator and the operation of the business is unproven, yet the venue seeks to operate to late hours in the only area of the city subject to a cumulative impact policy. Given the unproven nature, I believe there is an inherent level of risk in granting this application for the hours and activities applied for, particularly in this location.

Conclusion

I believe that the impact of the venue as proposed carries a risk of undermining the licensing objectives and that the grant of this application would likely exacerbate the problems in the area.

It is not considered that any conditions could be imposed on the licence to enable the premises to operate to the hours applied for without adding to the cumulative impact already being experienced.

The applicant has not demonstrated why there would be no addition to the cumulative impact already being experienced from the operation of the premises.

Therefore, the application should be refused, in accordance with the Council's policy, to ensure the promotion of the licensing objectives.

--

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)

From: [REDACTED] >
Date: 25 October 2018 at 13:43
Subject: RE: Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: [REDACTED] >

Ref: - Premises Licence (variation) 220708/PW5: Joel's Grill, [317 Wilmslow Road, Manchester, M14 6NW, \(Fallowfield ward\)](#)

I am writing as Director of Residential Services at the University of Manchester to express opposition to the proposed application for a variation to the licence at these premises to allow for:

Provision of regulated entertainment (recorded music and anything of a similar description to live music, recorded music or performances of dance) from Mon to Sun 11am to 11pm to Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

Provision of late night refreshment from Mon to Sun 11pm to 12 midnight to Mon to Wed 11pm to 12 midnight, Thu 11pm to 1am, Fri to Sat 11pm to 2am, Sun 11pm to 1am.

Supply of alcohol for consumption on the premises only from Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

Opening hours from Mon to Sun 11am to 12 midnight Mon to Wed 11am to 12 midnight, Thu 11am to 2am, Fri to Sat 11am to 3am, Sun 11am to 1am.

I hope this application for a variation in the licence will be refused on the grounds that this could create additional public nuisance in the area.

The supporting reasons for this objection are as follows:

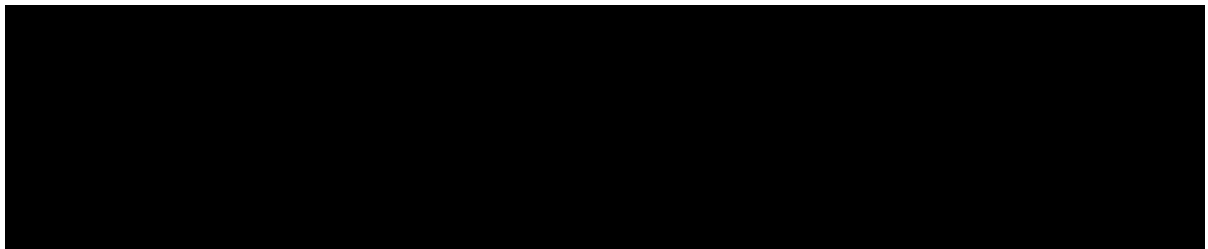
There are a number of University of Manchester students living in Halls of Residence and private rented sector properties close to these premises. As an institution the University of Manchester works hard to encourage our students to behave responsibly in the local community. To provide another premises for late night entertainment including recorded music, live music and performance of dance combined with the provision of late night refreshment including the supply of alcohol would greatly undermine the work undertaken to ensure responsible behaviour. I believe that if the premises were granted this variation in the licence for late night entertainment and refreshment this would contribute to the problems that already exist in the local area surrounding noise and anti-social behaviour.

As an institution the University of Manchester is working hard to resolve issues that surround the studentification agenda to promote better community relations. A common complaint received from local residents including students is the problem of anti-social behaviour related to noise. This

variation to the licence would promote more noise in the local area from the venue adding to the general noise nuisance issues that many local residents including students experience. The work that the University has invested in this will be potentially damaged if this variation to this licence is granted.

In conclusion I would like to emphasise that I am opposed to the proposed application a variation in the licence for these premises. I trust my views will be reported to the Licensing Committee.

Yours sincerely,



Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward) To:

Inbox x

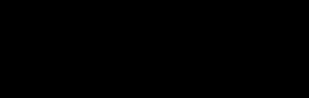
20 Oct (2
days ago)

We are writing to object to the planning application above. As long term residents of over 20 years , a family of 4, we still consider Fallowfield to be a residential area with a mix of shops ,bars restaurants and other local facilities. However , the neighbourhood has been significantly affected by the effects of late night alcohol and food venues over the years. Despite recent changes and restrictions to licensing more recently which have had a positive effect , applications continue to be made for ventures such as this with an apparently ' unclear' remit. I am wondering why a small food restaurant would require queue management, door bouncers, and I note a reference to drug and weapons searches. I believe that recent planning decisions are helping to keep Fallowfield safer, tidier, residential and are having an impact in reducing night time noise and anti social behaviour. This application threatens to set back progress being made and falls within a Cumulative impact Policy area: these increased hours and the nature of this application if approved will certainly add to problems involving:

Public Safety
Crime & Disorder
Public Nuisance (noise & litter)

The last thing that that fallowfield needs is another late night alcohol/ nightclub venue albeit one that sells food.

Kind regards



Sent from my iPhone

Premises Licence variation 220708/PW5. 317 Wilmslow Rd M14 6NW Joel's Grill

Inbox

x

[REDACTED]
13:55 (19 hours ago)

to me

Dear Sir/ Madam,

My family and I live about 200 metres from Joel's Grill. We are concerned that an application has been submitted from the premises to not only extend its opening hours beyond 11.00pm but also to serve alcohol and to be a venue for various forms of entertainment. My family and I object strongly to this application.

317 Wilmslow Rd is in the heart of an area subject to Manchester City Council's Cumulative Impact Policy. This policy was the result of wide consultation and evidence gathering. The locality was suffering from the negative impact of noise disturbance, drunkenness and excessive littering - and continues to do so - as the policy was not retrospective and a concentration of licensed premises continue to operate.

By seeking to stay open until the small hours, sell alcohol and provide late night entertainment additional night noise will be generated at Joel's Grill and by its patrons going home, increasing the cumulative impact of anti-social problems in the neighbourhood. This is contrary to the provisions of the Special Policy area in Fallowfield as set out in MCC's Statement of Licensing Policy.

I should add that reports of late night disturbance have been sent recently from this household and are recorded by the Off Campus Affairs Manager. I also have recent correspondence with Council Officers about the excessive littering of Fallowfield District Centre.

It is perhaps also relevant to note I have litter picked Clifton Avenue twice this week as the MCC cleansing provision is insufficient to keep up with the amount of litter, cans and bottles which are dropped by 'night-time economy customers' making their way home from Wilmslow Road premises.

[REDACTED]

Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

[REDACTED]

15:00 (18 hours ago)

to me, [REDACTED]

Dear Sir

I have been made aware of the request for a licence to sell alcohol at Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW.

I am writing to object to the granting of this license.

Fallowfield has a number of unique characteristics which should make the issue of new drinks licences impossible.

The levels of anti-social behaviour by some of the student and local permanent population are such that you, the council, have imposed a cumulative impact policy.

Any increase in premises selling fast food or alcohol, especially into the small hours would lead to increased noise, litter and other drunken mayhem.

The venues willingness to introduce door staff, presumably for drug and weapons searches indicates the type of client they are going to attract.

You also have a duty to protect vulnerable and impressionable first year students for whom living in Fallowfield could be their first exposure to the ready availability of drink and drugs and frankly need saving from themselves.

Please refuse the licence.

Kind Regards

[REDACTED]

Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)



15:48 (0 minutes ago)

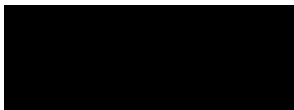
Hi Licensing,

I'd like to object to this application 220708/PW5: Joel's Grill. As a resident we have great problems with night time noise, drunken, antisocial behavior, crime and littering that all comes from the 'night time economy' that has been historically allowed to propegate in our residential area. Our residents and myself are professional people, families and the elderly who do not want these licenses and would like a return to our community. This is a completely unnecessary application till 3am!!! In a residential area. Ridiculous. It seems to be an application for a club not a restaurant and is entirely inappropriate in an area with a Cumulative impact Policy and a rich residential community.

Students wanting clubs are perfectly able to get a 10minute taxi to town where clubs should be located.

Please support our community and reject this application.

Yours Faithfully,



Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester M14 6NW

Withington Civic Society wishes to comment on this application which, although outside Withington itself, is highly relevant to the Wilmslow Road corridor and therefore to the adjacent Withington Stress Area.

The Society strongly opposes the application.

The relevant premises of course fall within the Cumulative Impact and Saturation Policy in respect of Fallowfield/Wilmslow Road. The Society would like to make reference to the Statement of Licensing Policy 2016-2021 and paragraphs 5.1 to 5.15 in particular.

It is noted that it is stated at paragraph 5.7:

"5.7. The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced."

The licence variation, if granted would:

- Permit the sale of alcohol
- Greatly extend the opening hours, to 3 am on some nights
- Effectively alter the premises from a restaurant to a club requiring, in the applicant's own submission:
 1. Queue management
 2. Door bouncers
 3. Drug and weapon searches
 4. Quarterly reviews of security incidents, etc., etc

Such premises cannot possibly meet the licensing objectives since in the applicant's own submission it is anticipated that such steps are necessary.

The licence variation, if granted, would have an adverse effect on issues of crime and disorder, public nuisance and public safety – in an area so badly affected already by such issues that the Council has had to set up the Cumulative Impact Policy.



Withington Civic Society planning coordinator

30th October 2018

From: [REDACTED]
Date: 31 October 2018 at 19:53
Subject: Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk
Cc: Fraser Swift <f.swift@manchester.gov.uk>, Caroline Sharkey <caroline.sharkey@manchester.gov.uk>, Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians and we wish to object to this application for a variation of license. We are particularly concerned about the lateness of the hours applied for which we feel will undoubtedly add to **public nuisance** in a Cumulative Impact Policy area. There is no reason or need for a cafe to be open this late, particularly 1am on a Sunday night, 2am on Thursdays and 3am on Fridays and Saturdays. We question who wants to eat a meal after 11pm? Other restaurants in Fallowfield close at 11pm or midnight. We are also opposed to the availability of another source of alcohol in Fallowfield. Many of the problems that led to the introduction of the CIP (the only one in Manchester) are linked to the consumption of alcohol. Late night premises serving alcohol combined with the very high density of students living in Fallowfield results in noise, antisocial behaviour and litter. Residents regularly suffer sleep deprivation and anxiety because of the long standing problems that this sort of disturbance results in. We feel that another late night premises selling alcohol will significantly add to public nuisance in terms of noise and litter. We do not feel that any measures can be taken to prevent this from making matters worse.

We are very concerned about the proposed hours, the sale of alcohol, the request for late night music and event hosting. The premises is a small space and not large enough for hosting events in our view. The suggestion that door staff and queue management might be required seems absurd for a small cafe. Perhaps the intention is to run this as a club. If so, this would add to public nuisance and possibly to an increase in **crime and disorder through alcohol related anti social behaviour**. There has also been a very marked increase in drug use and drug activity in this area in recent years and we are concerned that another late night premises will lead to an increase in numbers of late night visitors to the area which dealers and other criminals may prey on.

There are residential flats all around this site including immediately above the premises. Opposite there are 35 brand new flats being completed and there are many more flats and houses in close proximity. Many of the residents in Fallowfield are students and only live here for a short time. Some of them accept the night noise as part of their University experience for a few months over two or three years. Those of us who live here all the time (many of our group have lived in the area for more than 20 years) regularly have our sleep disturbed by groups of young people who are going out to eat, drink and go to clubs and events. The combined effect on our lives from the volume of people doing this is very harmful to our health and wellbeing, we get woken as they go out between 11pm and midnight and then again on their return (often between 2am and 4am). Young families with children often see discarded drug packets, vomit, litter, broken glass, alcohol and evidence of other anti social behaviour linked to the consumption of food and alcohol on their way to school. This sort of litter is generated mostly during the night hours and is often not cleansed until mid morning the next day, sometimes not at all.

Nothing about this application gives us confidence that this is a family friendly restaurant / cafe. It sounds more like a late night cafe / club which add yet more noise.

We cannot see anything that makes this an exceptional case enough to deviate from the CIP recommendation to refuse a late night license. We are concerned about many aspects as outlined above and we hope you will be able to recommend a full refusal of this license.

Yours



Community Guardian Coordinator
Fallowfield & Withington

From: [REDACTED]
Date: 1 November 2018 at 19:11
Subject: Premises Licence variation 220708/PW5 - Joel's Grill, 317 Wilmslow Road M14 6NW
To: "premises.licensing@manchester.gov.uk"
<premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I write in connection with the above licence application and to ask that my objection to this application. I set out below the reasons for my objection.

This application would appear to be an application for a club rather a restaurant, which I find amazing considering the size of the property i.e. it is an extremely small venue. It begs the question why a restaurant will be providing queue management door bouncers and patrons will be the subject of drugs and weapons searches. Or are the premises going to be extended by operating on the upper floors, which I believe is currently accommodation. Also the queue management is also cause concern because of the narrowness of the pavement outside these premises. What about people who wish to just walk along this part of Wilmslow Road, perhaps with a baby buggy or electric scooter or wheelchair, admittedly not at 3.00 a.m. in the morning!

One serious and relevant point to make is that these premises are located with a Cumulative Impact Policy area and the increased hours of opening which are being applied for will give grave concern for public safety, attract crime and increase public nuisance (noise and litter). I have major concern about the arrangements for customers smoking outside the premises. The pavement at this site is very narrow and is located adjacent to a narrow cycle lane so where are the smokers going to congregate?

I note there will also be a takeaway/delivery service. Currently there are a number of 'food' outlets already in Fallowfield who operate a motorised delivery service, rather than via bicycles. Where are these delivery vehicles going to park? The delivery cars for the Fallowfield McDonald's already clog Willow Bank. Joel's Grill is located on a narrow part of Wilmslow Road with double yellow lines so where will the delivery vehicles congregate?

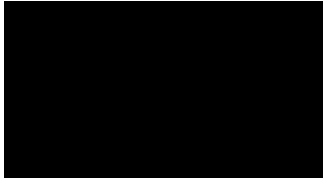
The opening hours for this application also cause me great anxiety. With the arrival of Arabian Nites to Fallowfield and their opening hours, all other premises are now jumping on the bandwagon and Fallowfield will effectively become a 24 hour area. It should be borne in mind that 66% of the residents of Fallowfield are not students! We already suffer from considerable transient noise in the early hours, almost 24/7, this application will just add to our misery. Certain 'entertainment' venues in Fallowfield already ignore the prescribed closing times so how can we be sure Joel's Grill will adhere to their closing times. The bars in Fallowfield are already noting a downturn in revenue so there is the distinct possibility that the competition from all the local venues will result in illegal opening hours.

I note flyers and promotional material are to be used to advertise Joel's Grill. Presumably the applicant is aware that heavy fines can be incurred for illegal flyposting.

At least, unlike Arabian Nites who have been publicising their venue as family friendly and staying open until 3.00 a.m. on some nights, Joel's Grill doesn't appear to be hoping to attract families to their venue.

I therefore ask that this application be rejected.

Yours faithfully,



From: **Sherwood TRA** <[REDACTED]>
Date: 4 November 2018 at 17:14
Subject: Re: Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Re: Premises Licence variation 220708/PW5 Joel's Grill [317 Wilmslow Road, Fallowfield M14 6NW](#)

Dear Sirs

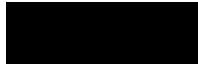
I write on behalf of the residents of the Sherwood Estate which is situated opposite these premises on the other side of Wilmslow Road. Since our family homes and flats were built Fallowfield District Centre has changed from a small 'village' of independent shops of the 1970's to the present day busy District Centre consisting of businesses mainly aimed at the night time economy. This in turn has led to an increase in late night disturbances and street litter from the growth of rowdy students returning to their privately rented HMO's/purpose built student accommodation and the new block of 35 flats soon to be completed on the site of the Orange Grove pub. Some years ago FDC was granted a Cumulative Impact Policy in order to provide some relief to residents due to the growth in late night venues which had led to an increase in street litter/noise/vandalism and therefore we are extremely concerned to read that this new restaurant wishes to have some very late night closing which will only add to further late night disturbance affecting our residents whose ages range from babies to the elderly. We believe this will happen by various means such as diners using the only carpark in FDC which is accessed via Sherwood Street & Boland Drive which run adjacent to two sides of our estate, or indeed parking on our narrow side streets and also add to the numbers of noisy late night passers by. Residents are also worried about breakout noise from these premises as has happened from other late night venues especially with the amount of street noise we already suffer from as people move along Wilmslow Road between late night bars. At night the noise carries much more, in particular between the gaps of Wilmslow Road buildings to the front of our homes and then on through the estate which regularly wake us up through the night.

We find it totally unacceptable for a restaurant to be permitted to close at such a late hour when so close to local residents, it would appear that it is more suitable for a city centre location rather than a district centre which is covered by a CIP.

Upon reading the supplied Conditions it reads more like an application for a club rather than a Fallowfield restaurant. Why else does it make mention of drug/weapon searches? Queue management? That is unlike any other local restaurant which residents would frequent, we certainly wouldn't wish to eat after midnight and therefore ask that operating hours are reduced in order not to create any further public nuisance.

We fully support the Fallowfield & Withington Community Guardians submission which goes into greater detail and respectfully ask that this licence application be refused in line with our area being covered by the Cumulative Impact Policy.

Yours



Chair
Sherwood TRA



From: [REDACTED]
Date: 4 November 2018 at 20:55
Subject: Premises Licence Variation 220708/PW5 Joel's Grill, 317 Wilmslow Road, M14 6NW
To: premises.licensing@manchester.gov.uk

Dear Sirs/Madam,

RE:220708/PW5: Joel's Grill, 317 Wilmslow Road, M14 6NW (Fallowfield Ward)

I am writing on behalf of SEFRG (South East Fallowfield Resident's Association) to object to the above licence variation.

This premises is within Fallowfield's Cumulative Impact Policy area - our understanding is that any new application by a licensed premises must not add to the problems experienced by residents in this neighbourhood and we believe that that it is absolutely inevitable that this application will negatively impact on our community.

The fact that this venue would like to extend it's late night opening hours from 11pm to 12am on Mondays to Wednesdays, from 11pm to 2am on Thursdays and Sundays and from 11pm to 3am on Fridays and Saturdays will mean that customers will be leaving the premises at a much later hour than they currently do which is in itself problematic and amounts to a further 17 hours of late night opening every week.

Many local customers are likely to be students because of the proximity of Owens Park Halls of Residence and the numerous student HMOs and they will be walking past a lot of flats and houses on their way home. Currently local residents often have their sleep disturbed by large groups of students (this is well documented by the council and the universities) and having yet another late night venue will only add to this problem. Students generally don't work normal working hours and often go out and stay out until very late, both at weekends and during the week and if this application is successful, the transient noise can only increase and prevent many local residents from getting a good night's sleep.

The university is currently building 1000 EXTRA bed spaces at Owens Park so there will soon be yet another 1000 students looking for entertainment and the closer they find it, the more attractive it will be. Moreover, after they leave Halls, a lot of the students carry on living in Fallowfield in large part because of the nightlife on their doorstep and having yet another very late night venue will only add to the appeal of Fallowfield and encourage even more students to remain in an area which is already too densely populated by students. The council wants to create a balanced, diverse and sustainable community and foster good community relations and this type of venue will not help achieve this objective, in our view.

If the venue does attract visitors from further afield and becomes a 'destination venue' there will be yet more noise for local people from taxi doors slamming as people take a cab home at the end of the night. There are a number of flats in the immediate proximity of these premises (including a large new development) and they are very likely to experience increased noise nuisance. Furthermore the venue wishes to host events and mentions the

management of orderly queues outside. Even if staff do manage to maintain an orderly queue it is not possible to keep large numbers of people quiet whilst they are waiting, especially if they have already had a drink beforehand which is so often the case. The venue is quite small and the applicants are obviously assuming it will be very popular and so the queues are likely to be large. (N.B. The applicants also mention that they will make sure that there is a 'safe capacity' inside but no numbers are actually mentioned and we think there will be a big temptation to pack people into what is a very small venue; a large number of drunk people in a small area can pose various risks including the risks from a fire or public disorder)

The fact that this venue also wants to serve alcohol, when previously it hasn't, will again add to the transient noise problems as drunk people stagger home. It is generally recognised that heavy alcohol consumption can lead to antisocial behaviour, for example; public urination, vomiting, littering, shouting, screaming (residents regularly talk of these problems) and in more severe cases brawls and fights. Local residents often wake up to litter and vomit strewn across their streets and cars and it is one of the reasons why many families have decided to move away. It is not pleasant or good for children to be kept awake at night by drunk people and then be faced with vomit and rubbish (including broken glass and drug paraphenalia) as they walk to school in the morning.

The application mentions takeaway orders and extending the opening hours will mean an increase in takeaway litter as (often drunk) customers at the late night take-aways drop litter on their way home; a drunk person is not generally fastidious when it comes to litter disposal! The council realise that this is already a problem in Fallowfield and so fund extra litter collection on Wilmslow Road however this is not often carried out first thing and residents wake up to the mess. Moreover very late night/early morning takeaway deliveries by cars and scooters is also likely to disturb local residents.

This venue is not marketing itself as a family venue - in fact it specifically says that no child under 18 should be allowed in without being accompanied by an adult and that that none of the entertainment will be exclusively for children, it also mentions various security measures, alcohol and late night live entertainment all of which seem to suggest that it is very much geared towards the adult market. Whilst this is not necessarily a problem in itself - and may well be of interest to a lot of people - we would argue that it is not an appropriate venue for a residential suburb and particularly one where the council have decided that a Cumulative Impact Policy should be put in place. This is the only Cumulative Impact Policy area in the city and it is in place precisely because of the problems in this area. This venue (in its intended new guise) is definitely more appropriate to a city centre location where punters will disperse at the end of the night to a variety of destinations and therefore not have such a damaging affect on a residential community.

We therefore urge you to reject this variation,

Yours faithfully,

 (Chair of SEFRG)

From: [REDACTED]

Date: 3 November 2018 at 13:40

Subject: FW: Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

To: "premises.licensing@manchester.gov.uk" <premises.licensing@manchester.gov.uk>

Cc: [REDACTED]

Dear Premises Licensing,

I write to object to this application for a licence variation.

This area is a Cumulative Impact Policy, which acknowledges the stresses the area is already under. What we do NOT require is another restaurant serving alcohol, and later into the night, as this will contribute to Public Nuisance of noise and litter. As residents, we already experience noise through the night, often four consecutive nights through the week, that is associated with people returning from the centre of Fallowfield. The centre is already well provisioned with such restaurants and the presumption of the CIP against any increase should operate here. There are NO compelling reasons in this application to resile from the CIP default position.

I trust this application will be refused in full.

Yours faithfully,

[REDACTED]

From: [REDACTED]
Date: 3 November 2018 at 16:32
Subject: Premises Licence variation 220708/PW5: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk

Dear Licensing Manaager

I have been notified that the above premises have requested extended late night opening.

Due to the current issues that locality is suffering at present I feel this is inappropriate.

The residential community of Fallowfield/Withington cannot continue to put up with increased noise/disturbance and disruption. The current opening hours of this establishment are adequate.

If people want further entertainment after these hours they can visit Manchester City Centre which is only a short distance away.

Yours sincerely

[REDACTED]

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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