



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 9 March 2020

Time: 10.10 am (or at the rise of Licensing and Appeals  
Sub-Committee Hearing Panel)

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Grimshaw (Chair), Hewitson and Madeleine Monaghan

## Agenda

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**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. New Premises Licence- Grano, 49 Stretford Road, Manchester M15 5JH - determination** 5 - 6  
The determination is enclosed.
- 5. Premises Licence Variation - Chick Inn, 582 Ashton New Road, Manchester, M11 4SG - determination** 7 - 8  
The determination is enclosed.
- 6. Premises Licence Variation - Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW** 9 - 70  
The Report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

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

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

Ian Hinton-Smith  
Tel: 0161 234 3043  
Email: [i.hintonsmith@manchester.gov.uk](mailto:i.hintonsmith@manchester.gov.uk)

This agenda was issued on **Wednesday, 26 February 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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**MANCHESTER**  
CITY COUNCIL

## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 243026  
**Name:** Grano  
**Address:** 49 Stretford Road, Manchester, M15 5JH  
**Ward:** Hulme  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Grano MCR Ltd  
**Date of application:** 17/01/2020

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 regulated entertainment (recorded music):  
 Mon to Sun 7am to 11pm

The supply of alcohol for consumption both on and off the premises:  
 Mon to Sun 12 Noon to 11pm

Opening hours:  
 Mon to Sun 7am to 11pm

### Representations received

Trading Standards

Concerns regarding procedures at the premises to uphold the Protection of Children From Harm Licensing Objective and how age verification requirements will be complied with when ordering alcohol on line.

## Agreements between parties

### Trading Standards:

1. Any person who appears to look under 25 years old will be asked for one of the following documents: a valid passport; a photocard driving licence; a HM Forces warrant card or a card bearing the P.A.S.S (Proof of Age Standards Scheme) hologram.
2. The premises shall display prominent signage indicating in all areas where alcohol is located, that a Challenge 25 scheme is in operation and that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under 18 to buy alcohol.
3. The refusals register shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by Greater Manchester Police or an authorised officer of Manchester City Council. The refusals register will be checked regularly by the designated premise supervisor and each check will be recorded in the register.
4. The training for each staff member regarding their understanding of the Challenge 25 policy will be refreshed every 6 months and their training records will be made available for inspection by Greater Manchester Police or an authorised officer of Manchester City Council, on request.
5. All sales of alcohol on line will be ancillary to the sale of food
6. When advertising on line delivery service, a clear statement that you operate a strict Challenge 25 Policy will be displayed on your advert
7. Online age verification should be used at the point of sale, i.e. when the order is placed. Age verification should extend to point of delivery.
8. Couriers and delivery staff will be instructed in writing of the Challenge 25 policy which is in place.
9. Each consignment for delivery will be labelled "This item NOT to be delivered to a person under the age of 18 years".
10. All deliveries shall be signed for by a person aged 18 or over with reference made to the Challenge 25 policy. If no signature is obtained the consignment must be returned to point of origin.
11. On delivery of alcohol, the driver will adhere to the Challenge 25 policy and verify the age of the person taking delivery of the alcohol as stipulated in the Challenge 25 policy. Refusal will be recorded as per the Challenge 25 policy.

### 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:** 241311  
**Name:** Chick Inn  
**Address:** 582 Ashton New Road, Manchester, M11 4SG  
**Ward:** Clayton & Openshaw  
**Application Type:** Premises Licence variation  
**Name of Applicant:** Mr Ari Ismail  
**Date of application:** 14/01/2020

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:  
 Mon to Thu 11pm to 0130am  
 Fri to Sun 11pm to 0230am

Opening hours:  
 Mon to Thu 11pm to 0130am  
 Fri to Sun 11pm to 0230am

### Representations received

Greater Manchester Police	Public nuisance, due to the location of residential properties near to the premises along with no extra conditions to support the application.
Licensing & Out of Hours Compliance	Public nuisance, due to the location of residential properties near to the premises and the hours originally applied for (amended to the above)

## Agreements between parties

### Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

### Licensing & Out of Hours Compliance:

1. A documented incident log and refusals book shall be kept at the premises for at least 6 months, and made available on request to GMP or an authorised officer of the licensing authority.
2. Documented staff training should be provided to ensure adequate public safety on the premises.

To Remove :

condition 4, annex (2)

Children shall only be permitted on the premises if accompanied by a responsible adult.

### 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 agreement



**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 9 March 2020

**Subject:** Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW - App  
ref: Premises Licence variation 242833

**Report of:** Director of Planning, Building Control & Licensing

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**Summary**

Application for the variation of a premises licence which has attracted objections.

**Recommendations**

That the Committee determine the application.

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**Wards Affected:** Fallowfield

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

**Full details are in the body of the report, along with any implications for:**

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

Name: Fraser Swift  
Position: Principal Licensing Officer  
Telephone: 0161 234 1176  
E-mail: f.swift@manchester.gov.uk

Name: Louise Dormer  
Position: Technical Licensing Officer  
Telephone: 0161 234 1460  
E-mail: premises.licensing@manchester.gov.uk

**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 23/01/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW in the Fallowfield ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **Current Licence**

- 2.1 The premises licence holder is Joel's Grill Ltd and a copy of the current licence is attached at **Appendix 2**.

## 3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to permit the sale of alcohol (on and off the premises) every day from 11:00h until 23:30, to permit the premises to open to the public from 08:00h daily for non-licensable activity (breakfast/tea/coffee) and to add conditions conditions to the operating schedule (**See Appendix 5**).

### **Proposed hours and licensable activities:**

#### Supply of alcohol for consumption both on and off the premises:

Current hours: No alcohol sales currently permitted

Proposed hours: Mon to Sun 11am to 11.30pm

#### Opening hours:

Current hours: Mon to Sun 11am to midnight

Proposed hours: Mon to Sun 8am to midnight

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800

and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

**3.3 Activities unsuitable for children**

3.3.1 The applicant has not highlighted 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.

**3.4 Steps to promote the licensing objectives**

3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

**4. Relevant Representations**

4.1 A total of 5 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Residents Associations: Fallowfield & Withington Community Guardians, South East Fallowfield Resident’s Group and Sherwood TRA
- Residents X 1.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	Based on the grounds of Public Nuisance and that the location of the premises is within a Special Policy area. LOOH have recommended that 2 of the conditions supplied by the applicant will also apply to their	Grant with conditions

	delivery drivers, LOOH have also recommended some further conditions be applied.	
<b>Residents Associations (x3)</b>	Based on the grounds of Public Nuisance, Crime and Disorder and that the premises is located in a Special Policy area. They believe that alcohol sales will add to public nuisance in an area where they already have problems with ASB. The groups welcome the earlier opening hours for breakfast to be served.	Refuse on and off sales of alcohol
<b>Resident (x1)</b>	Based around Public Safety, Crime & Disorder and Public Nuisance and that the premises is located in a special policy area where there are existing problems. Problems would be exacerbated by an additional licensed premises.	Refuse

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 5**.

## **5. Key Policies and Considerations**

### **5.1 Legal Considerations**

5.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

### **5.2 New Information**

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

### **5.3 Hearsay Evidence**

5.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

### **5.4 The Secretary of State's Guidance to the Licensing Act 2003**

5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best

practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

- 5.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 5.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

## 5.5 **Manchester Statement of Licensing Policy**

- 5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

### ***Section 5: Special Policy Area***

The premises is located within the following special policy area:

#### Fallowfield and Wilmslow Road

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. In relation to variations, this includes any variation that seeks 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.

### ***Section 6: What we aim to encourage***

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

### ***Section 7: Local factors***

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and off-licences to nightlife entertainment areas
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

### ***Section 8: Manchester's standards to promote the licensing objectives***

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants

are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

MS1	Implement effective security measures at the premises
MS2	Effective general management of the premises
MS3	Responsible promotion and sale of alcohol
MS4	Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
MS5	Prevent on-street consumption of alcohol
MS6	Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
MS8	Prevent noise nuisance from the premises
MS9	Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
MS10	Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
MS11	Ensure the wellbeing of children on the premises
MS12	Prevent underage sales of alcohol, including proxy sales

## 6. **Conclusion**

6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

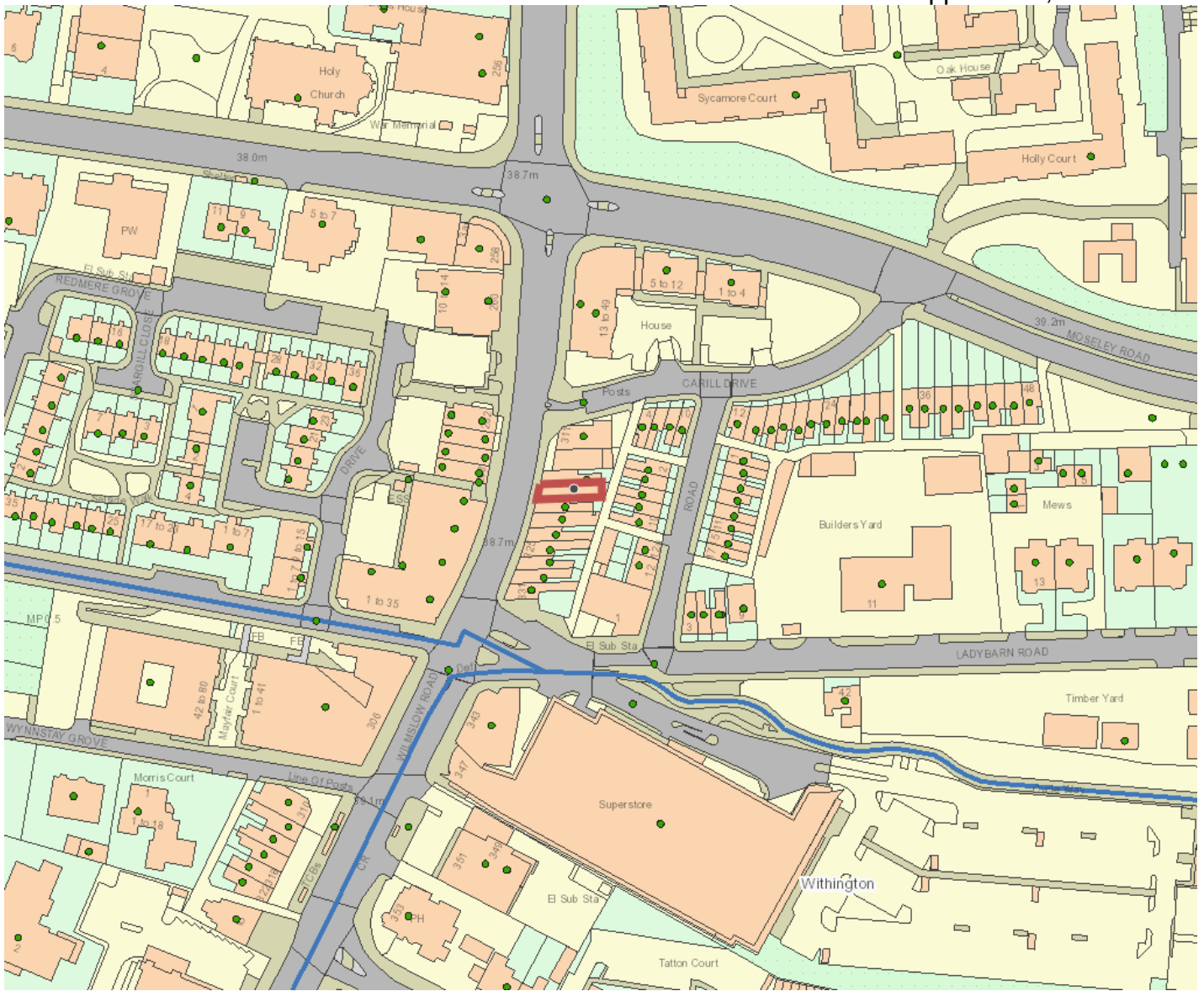
6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;



- b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**

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

Premises Licensing  
Manchester City Council

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<b>PREMISE NAME:</b>	Joel's Grill
<b>PREMISE ADDRESS:</b>	317 Wilmslow Road, Manchester, M14 6NW
<b>WARD:</b>	Fallowfield
<b>HEARING DATE:</b>	09/03/2020



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

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

### Part 1 - Premises details

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

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The provision of regulated entertainment, limited to: Recorded music;</li> <li>2. The provision of late night refreshment.</li> </ol>

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Recorded music</b>							
<b>Standard timings</b>							
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.							
<b>Seasonal variations and Non standard Timings:</b>							
None							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
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							
<b>Seasonal variations and Non standard Timings:</b>							
None							

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

**Part 2****Details of premises licence holder**

<b>Name:</b>	Joel's Grill Ltd
<b>Address:</b>	317 Wilmslow Road, Manchester, M14 6NW
<b>Registered number:</b>	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

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**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 Limited

*(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  
Joels Grill  
317 Wilmslow Road

Post town	Manchester	Postcode	M14 6NW
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Telephone number at premises (if any)	n/a
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Non-domestic rateable value of premises	£15,500 (Band B)
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**Part 2 – Applicant details**

Daytime contact telephone number	n/a
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E-mail address (optional)	██████████
---------------------------	------------

Current postal address if different from premises address	██████████
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Post town	██████████	Postcode	██████████
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**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			

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)

This is an application to permit the sale of alcohol (on and off the premises) every day from 11:00h until 23:30h.

To permit the premises to open to the public from 08:00h daily for non-licensable activity (breakfast/tea/coffee).

To add the following conditions to the operating schedule: -

- A personal licence holder to be on site between 19:00 and 23:30 Thursday to Saturday
- The premises shall operate as a restaurant and alcohol shall only be sold as ancillary to partaking in a table meal, with the exception of customers using the bar area while they are waiting for tables.
- Off-sales of alcohol shall be in sealed containers only for consumption away from the premises.
- A CCTV system shall be installed and maintained at the premises. CCTV cameras will cover, as a minimum, the entrance and exit to the premises and any bar area. CCTV footage will be capable of being stored for a minimum of 31 days and downloaded onto a portable device, such as memory stick or DVD. Where requested in relation to the investigation of a criminal offence, CCTV footage will be made available to a police officer within such timeframe as agreed.
- The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.
- The collection of refuse, bottles and recyclable materials shall only take place between 07:00 and 22:00 daily. Refuse will be stored securely and only placed outside on the public highway in anticipation of a scheduled collection.
- Activities relating to deliveries shall only take place between 07.00 and 22.00.
- Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.
- Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
- No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
- Music levels will be maintained at the premises such as they do not disturb residents either above or in the immediate vicinity of the premises.

(continued)

(continued)

- Smokers outside the premises will be monitored to ensure that as far as practicable they are not causing a disturbance.
- The premises will enter into an agreement with a hackney carriage provider and/or private hire firm to provide transport for customers, with contact numbers available to customers, who will be encouraged to use such services. A call back system must be operated and drivers instructed not to sound their horns when collecting customers.
- A direct telephone number for the manager of the premises shall be publicly available at all time the premises is open for licensable activities.
- Appropriate cleaning arrangements will be in place to ensure that the premises and surrounding area are always kept clean and free of litter when the premises are open to the public.
- No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
- An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
- All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.

To also update the premises licence plan as per the enclosed. Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

All other aspects of the existing premises licence to remain unchanged by this application.

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:

n/a

**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 <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	<p>Please give further details here (please read guidance note 5)</p> <hr/> <p>State any seasonal variations for performing plays (please read guidance note 6)</p> <hr/> <p>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)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or <u>outdoors or both</u> – please tick (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)  <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)  <u>Non standard timings. Where you intend to use the premises for</u> <u>the exhibition of films at different times to those listed in the column</u> <u>on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
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) As per current licence permission.
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			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) As per current licence permission.
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment 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	<p>Please give further details here (please read guidance note 5)</p> <hr/> <p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</p> <hr/> <p>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 (please read guidance note 7)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
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	<u>Please give further details here</u> (please read guidance note 5)  <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)  <u>Non standard timings. Where you intend to use the premises for</u> <u>the performance of live music at different times to those listed in</u> <u>the column on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded 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	<u>Please give further details here</u> (please read guidance note 5)  <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)  <u>Non standard timings. Where you intend to use the premises for</u> <u>the playing of recorded music at different times to those listed in</u> <u>the column on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Wed					
Thur			<b>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</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><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></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Wed					
Thur			<b>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</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	11:00	23:30						
Tue	11:00	23:30						
Wed	11:00	23:30						
Thur	11:00	23:30				<b>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</b> (please read guidance note 7)		
Fri	11:00	23:30						
Sat	11:00	23:30						
Sun	11:00	23:30						

K

<p><b>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</b> (please read guidance note 10). N/A</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	00:00	
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	00:00	<b>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</b> (please read guidance note 7)

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.  
The original premises licence will be forwarded to the local authority directly by the applicant.



**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)**

As per current licence permission, plus the additions made by this application;

A personal licence holder to be on site between 19:00 and 23:30 Thursday to Saturday.

The premises shall operate as a restaurant and alcohol shall only be sold as ancillary to partaking in a table meal, with the exception of customers using the bar area while they are waiting for tables.

**b) The prevention of crime and disorder**

Off-sales of alcohol shall be in sealed containers only for consumption away from the premises.

A CCTV system shall be installed and maintained at the premises. CCTV cameras will cover, as a minimum, the entrance and exit to the premises and any bar area. CCTV footage will be capable of being stored for a minimum of 31 days and downloaded onto a portable device, such as memory stick or DVD. Where requested in relation to the investigation of a criminal offence, CCTV footage will be made available to a police officer within such timeframe as agreed.

The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

**c) Public safety**

The capacity of the premises shall be determined by an up to date Fire Risk Assessment.

**d) The prevention of public nuisance**

The collection of refuse, bottles and recyclable materials shall only take place between 07:00 and 22:00 daily. Refuse will be stored securely and only placed outside on the public highway in anticipation of a scheduled collection.

Activities relating to deliveries shall only take place between 07.00 and 20.00.

Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.

Clear notices displayed at all points where customers leave the building must instruct them to

respect the needs of local residents and leave the premises and the area quietly.

No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

Music levels will be maintained at the premises such as they do not disturb residents either above or in the immediate vicinity of the premises.

Smokers outside the premises will be monitored to ensure that as far as practicable they are not causing a disturbance.

The premises will enter into an agreement with a hackney carriage provider and/or private hire firm to provide transport for customers, with contact numbers available to customers, who will be encouraged to use such services. A call back system must be operated and drivers instructed not to sound their horns when collecting customers.

A direct telephone number for the manager of the premises shall be publicly available at all time the premises is open for licensable activities.

Appropriate cleaning arrangements will be in place to ensure that the premises and surrounding area are kept clean and free of litter at all times the premises are open to the public.

No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.

#### **e) The protection of children from harm**

An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the 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	[Redacted]
Date	10/01/2020
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)

[Redacted]			
Post town	[Redacted]	Post code	[Redacted]
Telephone number (if any)	[Redacted]		
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

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From: Fallowfield Community Guardians [REDACTED]  
Date: Mon, 3 Feb 2020 at 11:00  
Subject: Re: Premises Licence variation 242833/LD2: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)  
To: Premises Licensing <premises.licensing@manchester.gov.uk>  
[REDACTED]

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians and we wish to object to this application for a variation of licence. We are particularly concerned about the requested sale of alcohol for both on and off sales. We feel alcohol sales of any kind will undoubtedly add to public nuisance in a Cumulative Impact Policy area. We feel there are no measures that can be applied that will cause this to be a special deviation from the policy.

Nearby Arabian Nites is the most recent restaurant to open in Fallowfield District Centre. This was refused a licence to sell hot food after 11pm as it is in a CIP area. We consider that the cumulative impact of another venue selling alcohol will add problems to the area. Nearby Sainsbury's closes at 11pm and if this premises at 317 Wilmslow Rd were to allow off sales until 11.30pm as proposed in this application, it would be an option for patrons to purchase alcohol after Sainsbury's has closed. There is often a rush for alcohol sales near closing times at the supermarket. It is well researched and documented that increasing the number of outlets for alcohol has an impact on local communities. The effects of on-street drinking of alcohol is one of the reasons that the CIP was established in 2013 and was recently renewed because issues of anti social behaviour are significant in this CIP area.

There are many restaurants and bars in Fallowfield which currently serve food and have a licence for alcohol. This often causes increased noise nuisance during the daytime as well as the evening an early hours. This is because there is a large density of students living in Fallowfield and it has become a destination venue particularly for students who may come from other parts of the city. There are also thousands of students living in Owen's Park Halls of Residence in Fallowfield and hundreds more in HMOs in our residential streets. For example, at present outdoor eating in summer months along with the consumption of alcohol results in very high levels of 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. It is not only the night economy that contributes to this. Afternoon and evening drinking is common and occurs at many licensed premises in Fallowfield, even during cold weather now that outdoor heating is provided in some beer gardens. We feel that another premises selling alcohol will significantly add to public nuisance in terms of noise, on-street drinking and litter. We do not feel that any measures can be taken to prevent this from making matters worse. Even if off sales are in sealed containers, this does not prevent patrons from opening and drinking them on the street once purchased. There is no effective measure provided that demonstrates how this could be prevented.

There are residential flats all around this site including immediately above the premises. Opposite there are 35 brand new flats 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. 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 evening hours and is often not cleansed until mid morning the next day, sometimes not at all.

There is also a marked rise in airbnb accommodation in this area and visitors to the area often eat out. We welcome diversity of restaurant choice but do not wish any more alcohol outlets to be added to this area because of existing issues.

We do not have an issue with food being served from 8am to allow breakfast to be served.

Crime and disorder through alcohol related anti social behaviour is an issue in this area. We therefore object to the sale of alcohol completely. Ex offenders and homeless persons are being given temporary accommodation in nearby hostel / hotels. Residents regularly see alcohol dependent persons causing nuisance which requires police intervention on the streets of Fallowfield. We do not wish to see another business selling alcohol to add to these problems. Gang conflicts are also a problem in Fallowfield and alcohol sales at another premises could fuel further gang problems.

In summary 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 refusal of this license in respect to the sale of alcohol both on and off the premises..

Yours

A large black rectangular redaction box covering the signature of the sender.

Fallowfield & Withington

Premises Licence variation 242833/LD2: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW,  
(Fallowfield ward)

Inbox

x

[REDACTED]

5 Feb 2020, 21:00 (11 hours ago)

to me, [REDACTED]

Dear Premises Licensing,

I write to object to the application for a licence variation for premises at 317 Wilmslow Rd.

The venue falls within the area governed by a Cumulative Impact Policy, which identifies the area as already suffering from stresses and strains.

There are already plenty of venues licensed to serve alcohol. We do not need another venue contributing to breaches in public safety, crime and disorder, and public nuisance.

The area is already profoundly affected by noise through the night, night after night. To conform to the CIP, such an application should be denied, I submit.

Yours sincerely,

[REDACTED]

From: [REDACTED]  
Date: Wed, 19 Feb 2020 at 23:50  
Subject: Re:  
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sirs,

Re: Premises Licence Variation 242833/LD2: Joel's Grill, 317 Wilmslow road, M14 6NW Fallowfield Ward

I am writing on behalf of SEFRG (South East Fallowfield Residents' Group) to object to the variation of the above licence in relation to the sale of alcohol both on and off the premises. We would like to emphasise that we are not objecting to the variation to increase the opening hours which would allow the venue to open at 8am so that breakfast can be served - this could be a positive addition to the local neighbourhood and hopefully appeal to a wide range of local residents. Anything which would encourage a real sense of inclusion and a feeling of community would be welcomed.

Regarding the sale of Alcohol - on and off premises

These premises are situated in the Cumulative Impact Policy area. The reason for introducing the CIP in 2013 was because the area has a very large concentration of licensed premises and an extremely high number of incidents of crime and antisocial behaviour which show an alcohol marker and can be linked to the opening/closing hours of the licensed premises. The CIP area has been regularly reviewed since 2013 and remains in force because the council considers it is still a necessary and proportionate approach.

Manchester City Council's Licensing Policy states that in a Cumulative Impact Policy area, applications for new licences or licence variations will be refused (where representations are made) 'unless an applicant can demonstrate why the operation of the premises will not add to the cumulative impact already being experienced' and that the council will only deviate approach where there are 'exceptional circumstances'

We do not think that there is any way that introducing an alcohol licence to this premises 'will not add' to the existing problems and there are no practicable measures that the premises could take to ensure this definitely does not happen. I note that the licensing statement does not say anything about the degree of extra impact but simply says there should be no extra impact.

At every local residents' meeting/community forum/police forum I have attended over the last 3 years (and there have been many), ASB (in all its' forms) and crime have been at the top of the agenda. This behaviour is on a scale that I have never witnessed before in any other area I have lived and I know many other local residents would agree.

Residents complain of noise disturbance throughout the day (especially during the summer months) and night but it is obviously particularly disturbing in the late evening and early hours of the morning as people go to and from the various bars and clubs and back to where they live. We see large gangs of people on a nightly basis who are very drunk and extremely raucous and they are also often drinking from bottles of wine and beer. Many licensed premises sell alcohol in sealed containers (as Joel's are suggesting doing) but I think everyone knows it's not hard for someone to open a bottle of beer or wine as they are walking home. If there is another licensed premises in the district centre, this will inevitably lead to more of these problems and helps add to the reputation that Fallowfield is a great place for a night out. Many local residents (including children) get woken up/severely disturbed by these gangs on an almost nightly basis and after a poor night's sleep it's very hard to concentrate on work or school. Alcohol also helps to fuel house parties which often carry on throughout the whole night.



However, this type of disturbance is more than simply an annoyance, there is increasing evidence, in particular research carried out by Matthew Walker, Professor of Neuroscience and Psychology which suggests that sleep deprivation can be linked to a range of health problems including diabetes, stroke, cancer, obesity and, of course, mental health issues. Even a small reduction in the optimal hours of sleep (about 8 hours) can significantly raise the risk of certain cancers. This is a serious public safety issue and I think we need to treat it as such.

Apart from the noise issues, excessive alcohol consumption also leads to an increase in the amount of litter we see. Drunk people are often not fastidious when it comes to disposing of their litter and the council have to lay on extra litter collection services in this area to try and keep on top of the waste. It is extremely depressing to see the levels of litter we see here and I think it is very sad that local children are being brought up in an area where these levels of litter are considered normal and where it's not uncommon to look out of your bedroom window and see an adult urinating in your garden or on the street. These type of issues are some of the reasons why many families decide to move out of Fallowfield and it has meant that the area is no longer a neighbourhood of choice for most people.

Joel's is situated very close to Owens Park Halls of Residents (Part of the University of Manchester) which has just added another 1000+ bed spaces as part of its ongoing expansion programme, this means that there are going to be an even higher density of students in this area in the next few years. After students have left Halls in their first year, a lot of them want to stay in the area in HMOs. Adding yet another venue with an alcohol licence will only add to the attraction of this area to second year students and sends out a clear message to all of us that this area does not cater for families. We believe that a balanced neighbourhood is a happy, cohesive neighbourhood and we need to do all we can to create this.

Joel's is also very close to a new development of flats and several other flats and houses are nearby, these premises are likely to be affected very directly by the introduction of a new licence for alcohol. It is our experience that people who live in flats seem less likely to complain to the authorities about noise disturbance, possibly because they are often renting for a short period so will be more likely to put up with the disruption, or perhaps they don't know how to complain - either way, they are negatively affected and I hope the panel will also consider the impact on them.

In conclusion we would urge the licensing committee to reject the application for an alcohol licence (both at the premises with a meal, or off licence sales). The very introduction of a CIP recognises that there is a correlation between the number of licensed venues and the associated problems and there are no measures which can be shown not to add to these problems. This is not an exceptional case.

Yours sincerely,



(on behalf of SEFRG - South East Fallowfield Residents Group)

From: Sherwood TRA <[REDACTED]>  
Date: Thu, 20 Feb 2020 at 23:53  
Subject: Re: Premises Licence variation 242833/LD2: Joel's Grill, 317 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)  
To: Premises Licensing <premises.licensing@manchester.gov.uk>  
[REDACTED]

Dear Sir/Madam

I write on behalf of the residents who live on the Sherwood Estate which is situated just over the other side of Wilmslow Road from these premises. Our residents ages range from babies right through to the elderly, many of whom have lived here since our homes were built around 1980 when Fallowfield District Centre looked very different with only 2 or 3 licenced premises with much shorter trading hours together with shops selling everything from knitting wool to a bakers. Whereas these days it has many late night bars and a much larger number of students living in HMOs or flats, Sherwood probably has the closest family homes to these premises.

We suffer from ASB in various forms - noise (shouting/shrieking/loud voices), littering, cans & bottles being left on garden walls or simply just thrown on the pavements or roads which leads to the terrible problem we have in this area with broken glass everywhere from on street drinking. Students can be seen on an almost nightly basis drinking as they either walk to pre-drink sessions or on their way out to the various late night bars and then throwing the empties onto the pavement. During the summer this anti-social behaviour occurs during the daytime as well so residents have little respite. Recently one of our dogs cut her pads on glass which took over a year to heal with all the associated veterinary costs and distress to the dog. So by permitting another alcohol outlet to open in Fallowfield District Centre residents are concerned that it will add further ASB.

These premises are only 2mins walk away from Sainsbury (10pm) and to the north there are another 2 late night closing off-licences (12pm & 2am), again within a few minutes walk and residents ask is another off-licence needed, especially when we are covered by a Cumulative Impact Policy due to the large number of licenced premises we have with their associated ASB.

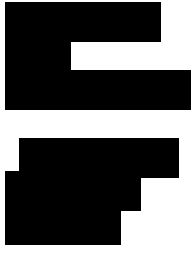
There are a vast number of students who live in Fallowfield, for many 1st years living at Owens Park it may be their first time living away from the family home and due to the easy accessibility of alcohol some of these young people may fall into the trap of using alcohol as a maladaptive coping strategy. This part of Fallowfield already has many alcohol outlets and so to permit this application to sell alcohol for off sales residents are concerned that it will only add to the problem.

These premises are opposite the newly built Sherwood House apartments and residents who live on the Redmere Grove side of Sherwood often report being disturbed by noise travelling across the car park from Wilmslow Road which wakes their children at night. They are concerned that there will be more noise in the evening if these premises being so close to their homes begin trading as an off licence.

It is for these reasons Sherwood residents are opposed to alcohol being sold on or off these premises. There are many alcohol free restaurants these days which is good to see and better for everyone's health and well being.

Residents do not have any concerns with regard to the earlier opening hours in order to do breakfasts and coffees etc. It is good for the area to have more choice for people to buy their breakfasts before going off to study or work.

Yours faithfully



<b>Licensing &amp; Out of Hours Compliance Team - Representation</b>	
Name	Sion Roberts
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.roberts3@manchester.gov.uk
Telephone Number	0161 234 1781

Premise Details	
Application Ref No	<b>REF242833</b>
Name of Premises	Joel's Grill
Address	317 Wilmslow Road, Manchester

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>Licensing &amp; Out of Hours Compliance Team (LOOHT) as the responsible authority have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for, and any potential risk that the grant of this application could lead to issues of public nuisance.</p> <p>The variation to the existing licence applied for is to permit the sale of alcohol (on and off the premises) every day from 11:00h until 23:30h. and To permit the premises to open to the public from 08:00h daily for non-licensable activity (breakfast/tea/coffee).</p> <p>Additional conditions also submitted to be added to the operating schedule.</p> <p>The existing restaurant is within the boundary Of the Fallow Field/Wilmslow Road Special Policy Area.</p> <p>The premises is situated between a bookmakers and barbers, in a terrace block of mixed use premises, including restaurant/takeaways and additional hairdressers/barber shops. With residential flats above several of these existing premises and traditional terraces approximately 20 metres to the rear of the premises.</p> <p>From discussion with the applicant, they acknowledge that the premises is situated within the special policy area, stating comprehensive proposed conditions have been submitted in order to further promote all 4 licensing objectives.</p>

LOOH believe that the 2 conditions below supplied by the applicant should also apply to **delivery drivers and their vehicles**. LOOH would also request in addition to the conditions supplied by the applicant, that the 3 conditions listed below also be attached to the licence subject to the committees granting of the variation application.

- An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
- All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.
  1. No takeout sales of alcohol.
  2. No drinks promotions such as happy hour, 2 for 1, bottomless brunches, etc.
  3. A refusals book will be also kept within the delivery vehicles and will be used to record all refusals to sell alcohol for any reason. Any refusals to sell such items to underage persons or persons who appear underage will be recorded.

LOOH believe these additional conditions are proportionate and necessary to uphold the licensing objectives in relation to public nuisance, in particular for areas still within the cumulative impact area but away from the premises itself. Thus addressing concerns raised by local residents.

Recommendation: Approve with Conditions (Outlined Above)

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. A personal licence holder to be on site between 19:00 and 23:30 Thursday to Saturday</li> <li>2. The premises shall operate as a restaurant and alcohol shall only be sold as ancillary to partaking in a table meal, with the exception of customers using the bar area while they are waiting for tables.</li> <li>3. Off-sales of alcohol shall be in sealed containers only for consumption away from the premises.</li> <li>4. A CCTV system shall be installed and maintained at the premises. CCTV cameras will cover, as a minimum, the entrance and exit to the premises and any bar area. CCTV footage will be capable of being stored for a minimum of 31 days and downloaded onto a portable device, such as memory stick or DVD. Where requested in relation to the investigation of a criminal offence, CCTV footage will be made available to a police officer within such timeframe as agreed.</li> <li>5. The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</li> <li>6. The collection of refuse, bottles and recyclable materials shall only take place between 07:00 and 22:00 daily. Refuse will be stored securely and only placed outside on the public highway in anticipation of a scheduled collection.</li> <li>7. Activities relating to deliveries shall only take place between 07.00 and 22.00.</li> <li>8. Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.</li> <li>9. Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.</li> <li>10. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.</li> <li>11. Music levels will be maintained at the premises such as they do not disturb residents either above or in the immediate vicinity of the premises.</li> <li>12. Smokers outside the premises will be monitored to ensure that</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>as far as practicable they are not causing a disturbance.</p> <p>13. The premises will enter into an agreement with a hackney carriage provider and/or private hire firm to provide transport for customers, with contact numbers available to customers, who will be encouraged to use such services. A call back system must be operated and drivers instructed not to sound their horns when collecting customers.</p> <p>14. A direct telephone number for the manager of the premises shall be publicly available at all time the premises is open for licensable activities.</p> <p>15. Appropriate cleaning arrangements will be in place to ensure that the premises and surrounding area are always kept clean and free of litter when the premises are open to the public.</p> <p>16. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.</p> <p>17. An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>18. All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>19. No takeout sales of alcohol.</p> <p>20. No drinks promotions such as happy hour, 2 for 1, bottomless brunches, etc.</p> <p>21. A refusals book will be also kept within the delivery</p>	No	Licensing and Out of Hours



## Schedule of Licence Conditions

<p>vehicles and will be used to record all refusals to sell alcohol for any reason. Any refusals to sell such items to underage persons or persons who appear underage will be recorded.</p> <p><b>LOOH believe that the 2 conditions below supplied by the applicant should also apply to delivery drivers and their vehicles. LOOH would also request in addition to the conditions supplied by the applicant, that the 3 conditions listed below also be attached to the licence subject to the committees granting of the variation application.</b></p> <p>22. An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>23. All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.</p>		
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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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