



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 8 June 2020

Time: 10.00 am

Venue: Dial: 033 3113 3058

Room number: 36955346 #

PIN: 8489 #

Everyone is welcome to attend this committee meeting.

### **The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

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

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**Councillors** – Hughes (Chair), Lyons and Reid

## 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 - Aila J's Cafe, 68 Church Road, Manchester, M22 4NW - determination** 5 - 8

The determination papers are enclosed.

**5. New Premises Licence - Pepe's Piri Piri 430-432 Wilmslow Road, Manchester, M20 3BW** 9 - 86

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:

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This agenda was issued on **Thursday, 28 May 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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## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 245656  
**Name:** Aila J's Cafe  
**Address:** 68 Church Road, Manchester, M22 4NW  
**Ward:** Northenden  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Darren McDermott  
**Date of application:** 15/04/2020

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

The supply of alcohol for consumption both on and off the premises:  
Weds to Sun 4pm to 11pm

Opening hours:  
Weds to Sun 9am to 2pm then 4pm to 11pm

### Representations received

Greater Manchester Police	The applicant has offered some conditions within the application but GMP would expect more robust conditions to have been offered to ensure that the following Licensing Objectives are upheld: public safety, the prevention of public nuisance and the prevention of crime and disorder.
Licensing & Out of Hours Compliance	There are a number of residential properties near to the premises and LOOH has concerns that noise emanating from the premises could lead to issues of public nuisance. Further measures could be implemented in respect of the control of noise from the premises, and a number of additional conditions have therefore been proposed.

## 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.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
  - (a) all crimes reported to the venue, or by the venue to the Police
  - (b) all ejections of patrons
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any visit by a relevant authority or emergency service
  - (f) All refusals of sales of alcohol
3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.
4. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

### Licensing & Out of Hours Compliance:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

**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

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 08 June 2020

**Subject:** Pepe's Piri Piri, 430-432 Wilmslow Road, Manchester, M20 3BW - App ref: Premises Licence (new) 245927

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Old Moat

<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 regime 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	
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**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:**

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**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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 15/04/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Pepe's Piri Piri, 430-432 Wilmslow Road, Manchester, M20 3BW in the Old Moat ward of Manchester. A location map and photograph 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. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Santhosh Kodari.
- 2.3 The description of the premises given by the applicant is: *'Fast food restaurant and takeaway serving grilled chicken items'*
- 2.4 **The licensable activities applied for:**  
The provision of Late Night Refreshment:  
Mon to Sun: 11pm to 5am
- Opening hours:  
Mon to Sun: 11am to 5am
- 2.4.1 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.
- 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.5 **Activities unsuitable for children**

2.5.1 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.

**2.6 Steps to promote the licensing objectives**

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

2.6.2 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 4**.

**3. Relevant Representations**

3.1 A total of 8 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Old Moat Ward Councillors;
- Fallowfield Community Guardians;
- South East Fallowfield Residents Group
- Residents (x3).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	The premises is located within a ‘Special Policy Area’ (known locally as the ‘Withington Stress Area’) and Greater Manchester Police are submitting a representation against the application as they believe that, if the application were to be granted, the Licensing Objectives relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance would be undermined. GMP are concerned that the applicant is seeking to provide Late Night Refreshment, 7 days a week, to 5.00am (which would be to a considerably later time than any other premises operating within the Special Policy area). Due to the well documented problems that have affected the local area for a number of years (littering, begging, on-street drinking, noise	Refuse

	<p>disturbance &amp; general antisocial behaviour) GMP believe that allowing a premises to operate to the hours applied for would add substantially to the pre-existing issues affecting the local area and its residents. Furthermore, as the applicant has not sufficiently demonstrated, via his application, how his operations would not add further to the cumulative impact within the Special Policy area (and with there being a general presumption against new applications for Hot Food takeaways within the locality) GMP are requesting that the application be refused.</p>	
<b>Licensing and Out of Hours Compliance</b>	<p>As with GMP, LOOH Compliance are objecting to the application on the basis of there being a substantial risk to the full and correct upholding of the Licensing Objectives (particularly in regard to a licensed premises operating within a 'Special Policy Zone') should the application be granted. LOOH Compliance are concerned that the applicant has demonstrated a noticeable lack of knowledge and understanding regarding his responsibilities under the Licensing Act, and how he should correctly operate a premises within a Special Policy Zone. It is for these reasons that LOOH compliance are recommending that the application be refused.</p>	Refuse
<b>Old Moat Ward Councillors</b>	<p>The Local Ward Councillors have objected to the application as it is believed that the applied for closing time of 5.00am would impact adversely upon the Licensing Objectives, with particular reference to public nuisance, noise disturbance and littering. Following further conversations with the Local Ward Councillors it has been determined that granting of the application would be acceptable providing a reduction in the premises closing times and conditions relating to the prevention of noise breakout/disturbance from the premises and the external maintenance of the premises in regard to the collection of litter were imposed upon any granted premises licence at hearing.</p>	Grant with conditions and amendments to premises operating hours/times
<b>Fallowfield Community Guardians</b>	<p>Fallowfield Community Guardians are objecting to the application for the same reasons as GMP and LOOH Compliance: that the granting of the application will lead to an undermining of the Licensing Objectives within the Special Policy Area and will, in the opinion of the</p>	Refuse

	Residents Association, only serve to add further to the well recorded and on-going antisocial behaviour/public nuisance issues which affect the locality. Fallowfield Community Guardians are requesting that the policy of refusing applications for premises offering Late Night Refreshment within the Special Policy Area be upheld in regard to the application as it is felt that the addition of another Late Night Refreshment takeaway to the local area would only prove to be detrimental. Consequently so Fallowfield Community Guardians are requesting that the application be refused.	
<b>South East Fallowfield Residents Group</b>	The representation submitted against the application by South East Fallowfield Residents Group follows the same line as those representations recorded above that have also requested the refusal of the application for the reasons as already described. SEFRG see no merit in the application and are of the opinion that, should the application be granted, there will be a noticeable, and unacceptable, increase in the already recorded high levels of antisocial behaviour and public nuisance incidents that occur within the Special Policy Area. Consequently so SEFRG are requesting that the application be rejected in its entirety.	Refuse
<b>Residents (x3)</b>	The private residents who have submitted representations against the application are, collectively, of the opinion that the granting of the application will only serve to increase the (existing and on-going) high levels of antisocial behaviour and public nuisance issues that affect those residing within the immediate vicinity and general locality of the main high street zone that runs through the Withington Special Policy Area.	Refuse

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

#### **4. Key Policies and Considerations**

##### **4.1 Legal Considerations**

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

##### **4.2 New Information**

4.2.1 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.

#### 4.3 **Hearsay Evidence**

4.3.1 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.

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

4.4.1 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.

4.4.2 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.

4.4.3 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.

#### 4.5 **Manchester Statement of Licensing Policy**

4.5.1 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.

4.5.2 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.

4.5.3 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.

4.5.4 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:

Withington Stress Area

The effect of the Special Policy is to set out a range of specific approaches according to the nature of the premises to be licensed. With respect to this application, the Policy proposes the following approach:

	<b>Closing time</b>	<b>Approach</b>
<b>Hot food Takeaway premises</b>	All	Strong presumption against.  A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.

The policy also sets out particular measures it expects operators to pay special attention to in order to ensure their operation will not add to the problems within this area. Operators are not required to do so, but where the authority’s discretion is engaged, any applications that fail to address all appropriate measures may be refused or have conditions applied to comply with the policy measures.

**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:

- 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
- Ability to clean and maintain the street scene

### **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.

- MS2 Effective general management of the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- 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

## **5. Conclusion**

- 5.1 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.
- 5.2 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.

- 5.3 Having regard to the representations, 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:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 5.4 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.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 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.
- 5.7 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.
- 5.8 **The Panel is asked to determine the application.**



Pepe's Piri Piri  
430-432 Wilmslow Road, Manchester, M20 3BW

Premises Licensing  
Manchester City Council

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**PREMISE NAME:** Pepe's Piri Piri

**PREMISE ADDRESS:** 430-432 Wilmslow Road, Manchester, M20 3BW

**WARD:** Old Moat

**HEARING DATE:** 08/06/2020

**Application for a premises licence to be granted 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 SANTHOSH KODARI  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
430-432 WILMSLOW ROAD			
Post town	WITTINGTON	Postcode	M20 3BW
Telephone number at premises (if any)		0161 445 0002	
Non-domestic rateable value of premises		£	10728.50

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
- ii as a partnership (other than limited liability)  please complete section (B)
- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)



- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>KODARI</b>			First names <b>SANTHOSH</b>		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	03	2020

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

FAST FOOD RESTAURANT & TAKEAWAY SERVING GRILLED CHICKEN ITEMS. IT'S A PEPE'S PIRI PIRI FRANCHISE. THERE WILL BE NO ALCOHOL SERVED ON THE PREMISES. ITS ON WILMSLOW ROAD IN WITHINGTON, MANCHESTER. AROUND 30 SEATINGS WILL BE AVAILABLE AND NO SEATING AREA OUTSIDE OF THE PREMISES.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A
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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)			
Thur						
Fri			<b><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></b> (please read guidance note 6)			
Sat						
Sun						



H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 4)</p>		
Wed					
Thur			<p><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 5)</p>		
Fri					
Sat			<p><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 6)</p>		
Sun					

## I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	5:00	<u>Please give further details here</u> (please read guidance note 4) ITS A BUSY STUDENTS AREA, WE WOULD LIKE TO SERVE TILL ATLEAST 3AM AND DELIVER FOOD TILL 3AM, ESPECIALLY WEEKENDS.		
	00:00	5:00			
Tue	11:00	00:00			
	00:00	5:00			
Wed	11:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) DURING STUDENT HOLIDAYS WE MIGHT CLOSE EARLIER, WE WILL DECIDE ONCE WE START TRADING.		
	00:00	5:00			
Thur	11:00	0:00			
	0:00	5:00			
Fri	11:00	00:00	<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 6)		
	00:00	5:00			
Sat	11:00	00:00			
	00:00	5:00			
Sun	11:00	00:00			
	00:00	5:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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 6)		
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

**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 9).**

NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) WE MIGHT PLAN TO CLOSE <sup>EARLIER.</sup> DURING STUDENT HOLIDAYS.
Day	Start	Finish	<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 6)  NONE
Mon	00:00	5:00	
	11:00	00:00	
Tue	00:00	5:00	
	11:00	00:00	
Wed	00:00	5:00	
	11:00	00:00	
Thur	00:00	5:00	
	11:00	00:00	
Fri	00:00	5:00	
	11:00	00:00	
Sat	00:00	5:00	
	11:00	00:00	
Sun	00:00	5:00	
	11:00	00:00	

## M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

N/A

b) The prevention of crime and disorder

ALL OUR STAFF WILL BE TRAINED TO BE VIGILANT. WE WILL HAVE 24HRS CCTV IN OPERATION. ANYONE INTOXICATED OR DOING ANY WRONG ACTIVITIES WILL BE REPORTED AND WILL NOT BE SERVED.

c) Public safety

STORE WILL HAVE 24HOUR CCTV IN OPERATION. THE STORE IS VERY WELL LIT WITH DISABLED ACCESS. WE WILL HAVE SUFFICIENT FIRE EXTINGUISHERS REQUIRED AS WELL AS MARKED EMERGENCY EXITS. STAFF WILL BE PROVIDED REQUIRED TRAINING ON PERSONAL AND CUSTOMER SAFETY.

d) The prevention of public nuisance

ANY ANTI-SOCIAL BEHAVIOUR WILL ~~BE~~ NOT BE ALLOWED IN OR OUTSIDE THE PREMISES. ANYONE INTOXICATED OR CAUSING ANY NUISANCE WILL NOT BE SERVED OR ENTERTAINED IN ANYWAY. STAFF WILL BE TRAINED TO PREVENT SUCH BEHAVIOUR.

e) The protection of children from harm

CHILDREN WILL BE PROTECTED FROM VIOLENCE, ABUSE, EXPLOITATION AND NEGLECT. NO ALCOHOL IS SERVED AT THE PREMISES. STAFF WILL BE TRAINED ON PROTECTION OF CHILDREN FROM HARM, AND ANY ISSUES WILL BE REPORTED DIRECTLY TO MANAGER AND LOCAL POLICE.



**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee. [WILL PAY ONLINE]
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. [Submitted Online]
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).


**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.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or</li> </ul>
--------------------	--

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	09/04/2020
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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

Document is Restricted

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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	[REDACTED]
Contact Telephone Number	[REDACTED]

## About the Premises

Application Reference No.	<b>LPA 245927</b>
Name of the Premises	<b>Pepe's Piri Piri</b>
Address of the premises including postcode	430-432 Wilmslow Road, Manchester M20 3BW

## Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the hours requested for a variation to the premises licence in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

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 very 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 late night refreshment and until 0500hrs 7 days a week.

This will undoubtedly create noise disturbance and anti-social behaviour for a longer period, 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 extend their hours each night 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 revelers 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 subject to a Stress Policy, which was introduced at the end of January 2013, due to the problems in the area with night time economy related incidents.

There is therefore a strong presumption against all Hot Food takeaway applications in this area and GMP can see no reason to depart from this policy in this instance. The applicant has not demonstrated how they will not add to the cumulative impact within the area.

A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers, which has not been demonstrated in this case.

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



**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Andrew Richardson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	LAK245927
Name of Premises	Pepe's Piri Piri
Address	430-432 Wilmslow Road, Manchester, M20 3BW

**Representation**

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.

Licensing and out of hours team have assessed the likely impact of the grant of this licence taking into account a numbers of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could lead to issues of public nuisance.

The applicant is requesting Late night refreshment licence, till 5am every day of the week.

The premise is located in thriving community in the Old Moat ward and is situated on a main arterial route in and out of Manchester and one of the busiest bus routes in the UK. The area has a mixture of tenures and it has a very large student population.

The premises is situated in the middle of a row of commercial premises, which includes takeaways, restaurants and alcohol led venues. There are residential properties within approximately 50 metres from the premises. Premises is 10 ft away from 2 other late night premises

It would be useful to mention that the premises is situated in a special policy area, known locally as the Withington Stress Area (WSA) (attached- Appendix 8 of WSA). This is highlighted in Section 5 of the licensing policy, which has restrictions in place for all new and variations to premises licences. This is due to the historical evidence that crime and disorder and public nuisance within this concentration area has warranted this policy.

## Appendix 8 Withington Stress Area



Section 5.20 states that there is a strong presumption against All Hot Food Takeaways and only a genuinely exceptional case would need to be shown. This is reiterated in section 5.28, Departure from the policy is expected only in exceptional circumstances.

The applicant has put forward some steps but not enough to uphold the licensing objectives. They have failed to elaborate on appropriate measures, set out in section 5.25 that are expected of operators within the WSA. This suggests that the operator will not be able to uphold the licensing objectives, thus cannot determine if the operation will add to the problems within the area.

Furthermore, the operating schedule offers no consideration to section 8 of the licensing policy for how the applicant will promote the Licensing Objectives, and how the applicant will disperse the possible congregation of groups and anti-social behaviour that is linked to patrons in the early hours of the morning on Wilmslow Road.

Taking into consideration the above, the applicant has not shown any regards to section 5.30 of the licensing policy and consequently does not have a full understanding of their responsibilities under the Licensing Act. The applicant has failed to produce sufficient evidence to suggest they will be able to uphold the licensing objectives, within the Withington stress area.

To conclude our assessment, the applicants lack of consideration to the WSA and the weak operating schedule, will only undermine the policy.

We therefore recommend that the licence for Late Night Refreshment is refused.

**Recommendation: Refuse Application**

From: **Councillor Gavin White** [REDACTED]  
Date: Wed, 29 Apr 2020 at 08:00  
Subject: Premises Licence (new) 245927/BJ1: Pepe's Piri Piri, 430-432 Wilmslow Road, Manchester, M20 3BW, (Old Moat ward)  
To: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>  
Cc: Councillor Garry Bridges [REDACTED], Councillor Suzannah Reeves [REDACTED], Martin Saker [REDACTED]  
[REDACTED]

Dear Licensing,

We would like to object to this application on the basis of the proposals for it opening till 5am, 7 days/nights a week.

This is beyond the closing times of other similar establishments in Withington village and district centre.

The 5am closing time would add to public nuisance in the local area for residents especially in regards to transient noise, litter and potential anti-social behaviour.

We do welcome that a long term empty unit in the village and high street has been taken on by a business, but object to the 5am closing time, 7 days/nights a week.

Yours sincerely,

Gavin White, on behalf of the Old Moat Ward Councillors

Gavin White  
Labour Party Councillor for Old Moat Ward  
Manchester City Council

Tel No: [REDACTED]  
Email: [REDACTED]

Fwd: Premises Licence 245927/BJ1: Pepe's Piri Piri. 430-432  
Wilmslow Road, Manchester, M20 3BW

----- Forwarded message -----

From: [REDACTED]

Date: Wed, 13 May 2020 at 23:38

Subject: Premises Licence 245927/BJ1: Pepe's Piri Piri. 430-432 Wilmslow Road,  
Manchester, M20 3BW

To: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Dear Sirs/Madam.

**Re: Premises Licence (new) 245927/BJ1: Pepe's Piri Piri, 430-432 Wilmslow Road,  
Manchester M20 3BW**

I am writing on behalf of SEFRG (South East Fallowfield Residents' Group) and would like to object in the strongest terms to the above new licence application.

Withington Village is in a special Stress Zone which means that there should be a strong presumption against the granting of new licences (or licence variations). This is a complete reversal of the standard licensing rules which are generally permissive. The reason this special policy was introduced was because this part of Wilmslow Road (running through Withington village) has levels of recorded incidents of antisocial and criminal behaviour which are as a result of the number of licenced premises, the problems that emanate from them and the effect this has on the residential neighbourhood.

The Withington Stress Zone is immediately adjacent to the Cumulative Impact Policy area in Fallowfield and these are the only two areas in the whole of Greater Manchester to have special policies to deal with these issues. Their very existence therefore illustrates just how serious these problems are and how strictly they should be observed. There are many more licensed premises (and more recorded incidents) in Fallowfield and hence the need for a CIP, however the stress area in Withington is a recognition that unless the brakes are applied now, Withington will very sadly follow in Fallowfield's footsteps as more licenced premises move into the next nearest place.

This particular application is for opening hours to be extended from 11pm to 5am, 7 days a week

**Relating this to the licensing objectives, the major areas where we anticipate problems are as follows:**

This application is obviously an attempt to gain custom from the the pubs and clubs nearby after closing time. Customers leaving these venues often do so in large, rowdy and drunken groups and having another late night place to get a bite to eat after normal hours will mean that they will be hanging around in the village longer than they would otherwise have done so. A very late night eating place also often attracts people from further afield. This increased very late night activity will mean that there will be more noise both in the village and on the surrounding streets as people return home. Withington is still home to a significant number of families but there are also a lot of student houses, so big groups of students returning home from a night out are very likely to wake residents up on their way. This already happens and another late night option will simply add to the problems - it is the cumulative effect. Being woken up by sudden bursts of noise, often several times a night, is not only extremely annoying but it is also dangerous to residents' health and mental



wellbeing. Increasingly it is reported that regular loss of sleep can cause physical illnesses for example; heart problems, cancer and obesity and it is also disruptive to work and children's schooling. To those who haven't experienced this level of sleep deprivation, I realise it can be hard to imagine what it's like - it isn't just the odd night, or the odd week (I think we could, and indeed should, all put up with odd disturbance) but it is the ongoing nature of the problem.

In addition to the noise nuisance there are the obvious litter problems that come with takeaways. Most customers will eat their food on their way home and local people often wake up to takeaway remnants on the streets, on their car windscreens, in their hedges and in their gardens. More takeaways and longer opening hours lead to even more of these problems.

No proprietor can follow all his customers home making sure they are quiet and take their litter with them. Late night pub and club goers are even more likely to cause a nuisance than they would during the day because drunk people are generally not too fastidious about their noise levels, or where they put their rubbish!

It is very sad that children growing up in Fallowfield and Withington are accustomed to these extreme levels of litter and that dropping litter has become such normalised behaviour.

Finally, reported incidents show that there is a spike in ASB and Criminal activity after 11pm and into the early hours as people become more drunk and skirmishes break out between different gangs or groups. If these groups leave the area straight after the pubs and clubs have closed they are less likely to clash with each other. This part of Wilmslow Road is particularly narrow and there are several venues attracting large numbers of people, all within spitting distance of each other; and there have been recent (and very serious) incidents of this nature very close to these premises.

## **Conclusion**

Over a number of years, many residents have felt compelled to move away from Fallowfield and Withington - Withington has been less affected by this migration than Fallowfield but it is still a significant problem. When our neighbours move away that they often decide to escape the city altogether because they are so worn down by the noise, litter, crime and ASB and they feel powerless to solve the problems. To escape the whole city seems the most certain way of avoiding these issues in future. This is a great loss, not just to our own community, but to our city. We need these people to stay here and we are sure that controlling licensing in a sensible and measured way could have an enormous effect on restoring our communities.

We believe that the Stress policy was introduced for a very good reason, it has been regularly reviewed and is still found to be necessary. There are no conditions to this licence that could be brought in to justify departing from it and any extension in hours beyond 11pm would be undermining the policy. We urge you to reject it in full.

Yours sincerely,



From: **Fallowfield Community Guardians** [REDACTED]  
Date: Sun, 10 May 2020 at 22:12  
Subject: Re: Premises Licence (new) 245927/BJ1: Pepe's Piri Piri, 430-432 Wilmslow Road, Manchester, M20 3BW, (Old Moat ward)  
To: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>  
Cc: Fraser Swift [REDACTED], Alan Isherwood [REDACTED]  
Caroline Sharkey [REDACTED]

Dear Sirs,

I am writing on behalf of Community Guardian residents in SE Fallowfield and Withington. We are writing to object to the new license application for a 5am license at 430-432 Wilmslow Road.

### **Withington Stress Licensing Policy**

Withington village is covered by a special stress zone licensing policy because of concerns by residents about the excessive problems of antisocial behaviour further up Wilmslow Road in Fallowfield which have arisen due to a large number of pubs, bars, off licenses and takeaways with late licenses. There is concern that now Fallowfield is 'full', alcohol and take away outlets would move further south to nearby Withington causing similar problems to arise there.

Withington already has a number of licensed premises which do cause noise and disturbances. None however have a license until 5am. Residents do not wish to see any additional premises open during the early hours due to associated noise and nuisances that occur

### **Preventing Public Nuisance & Crime & Disorder**

Fallowfield and Withington both have a very high density of students, thousands of young people are concentrated in and around our area and this is a factor which contributes significantly to night time noise for residents. Many young people enjoy the night economy and licensed premises open during the early hours act as a magnet for groups. The provision of late night food adds to this sort of nuisance.

There are often groups of people on the narrow pavements outside the premises that are open. There have also been serious late night assaults in Withington village including an attack on a Manchester University medical student at Khans take away which left him hospitalised in a critical condition. The stress policy has been reviewed and the policy is still in place. Residents feel that another late night take away will undermine the licensing objectives for public safety, public nuisance and could lead to an increase in crime and disorder. Littering is likely to increase and this is currently a major concern to Withington residents. There are no measures suggested by the applicant to deal with litter.

Adding another licensed premise with a 5am opening would be very likely to increase the cumulative stress of noise and nuisance in the Withington area. We would ask you to refuse this license and take note of the special license policy that exists for Withington to protect the village. We are keen to make sure that Withington does not turn into a village of bars and take aways and thus create the problems that are so well documented in Fallowfield. We feel that the licensing objectives would be compromised if this take away were to extend opening hours into the early hours and we see no reason to depart from the policy which is to refuse all new late night takeaway licences..

Yours

[REDACTED]  
SE Fallowfield & Withington

From: [REDACTED]  
Date: Sun, 10 May 2020 at 09:42  
Subject: Objection to Piri application Withington Reference: 245927/BJ1  
To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Dear Sir

As residents of Withington we are writing to object to this application. We strongly object to increased trading activity in the early hours of each morning in what is primarily a residential area. Any increase in the night-life around the centre of Withington, particularly in the hours requested in this application will be detrimental to the neighbourhood. The effect of late night trading in Fallowfield is known to be detrimental to those who live there. Although Withington already has its late night problems, a licence such as this will aggravate the existing noise disturbance and public nuisance. And contribute further to a deterioration in the neighbourhood.

I hope the council will not agree to this application.

[REDACTED]

[REDACTED]

From: [REDACTED] >  
Date: Sun, 10 May 2020 at 13:17  
Subject: FW: Premises Licence (new) 245927/BJ1: Pepe's Piri Piri, 430-432 Wilmslow Road, Manchester, M20 3BW, (Old Moat ward)  
To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Referring to the Premises licensing applications I wish to register my objection because I consider that these premises will contribute to an increase in the noise and anti-social behaviour of the neighbourhood through long night trading hours as there does not appear to be any management plan for customers under the influence of alcohol, which is more likely at these late hours.

[REDACTED]

From: [REDACTED]  
Date: Wed, 6 May 2020 at 09:02  
Subject: Planning application 245927/BJ1: Pepe's Piri Piri, 430-432 Wilmslow Road,  
To: [REDACTED]  
<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

I object to the above application on the following grounds

- Late night (in this case open until early morning) takeaways likely to cause crime and disorder as groups of drinkers can congregate outside.
- There's nothing to tackle litter problem
- This is a residential area and late night takeaways can be noisy

[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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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. The store shall have 24hour CCTV in operation.</li> <li>2. Staff shall be provided with training on personal and customer safety.</li> <li>3. Any antisocial behaviour shall not be allowed in or outside the premises.</li> <li>4. Anyone intoxicated or causing any nuisance shall not be served or entertained in any way. Staff shall be trained to prevent such behaviour.</li> <li>5. Children shall be protected from abuse, violence, exploitation and neglect.</li> <li>6. Staff shall be trained on the protection of children from harm.</li> <li>7. Any issues regarding the protection of children from harm shall be reported to the shop manager and the police.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	N/A

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