

## Licensing Sub Committee Hearing Panel

### Minutes of the meeting held on Monday, 4 November 2024

**Present:** Councillor Grimshaw – in the Chair

**Councillors:** Bano and Riasat

**LCHP/24/67. Application for a New Premises Licence - Tops Pizza Limited, 192 Stockport Road, M13 9AB**

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing concerning an application for a New Premises Licence. The Hearing Panel considered the written papers of the parties submitted and the oral representations of the parties who attended, as well as the relevant legislation.

The applicant attended the hearing and addressed the Hearing Panel on the application, stating that these were difficult times for businesses and the application would enable the venture to make some extra income if additional hours were granted to their licence. Tops Pizza was a franchise chain, operating since 1988 with numerous outlets in London. This would be the first outlet in the Manchester area. The chain was different to other pizza take away restaurants. There would be 8 staff covering each of 2 shifts to cover the hours. If the request for extra hours were to be granted, there would be a full team of 25 staff. The main reason for the request of extra hours was to provide a longer service for customers and increase takings at the business.

In responding to questions from the Hearing Panel, the applicant stated that:

- Staff would cover a 6 hour shift maximum
- That there were good transport links on Stockport Road for staff
- The business would employ local people
- That the unit also had vehicles to assist staff with attending and getting home if they lived far away
- The business had been trading for 4 weeks
- With regard to the Licensing Objectives, the applicant stated that
  - they would safeguard children by refusing any orders placed in person or over the phone
  - Staff were trained in this regard
  - The premises was equipped with CCTV
  - The premises would operate litter picking, public safety and tackle noise issues
- The business would refuse to serve school children on their lunch break
- They have had students show their ID to get served
- There were concerns that young people may have stolen bank cards to place orders
- The applicant then confirmed that children would not be served during the hours of the requested extension only
- The applicant would pass information back to the staff regarding refusals and the training around this after the hearing

- The head office of the franchise had provided training materials but there was not currently a refusal log in operation
- The applicant had not been trained in this regard but did have a food hygiene certificate
- The premises would have automatic doors to assist with noise break out and the extraction fan was silenced to further eliminate noise
- Deliveries of products to the business were arranged fortnightly in the afternoon
- Waste collection was every Wednesday and Friday in the afternoon
- The business displayed banners regarding patrons not loitering around the premises and staff would follow a rota to make regular litter picks
- The applicant had received some conflict management training and this would help staff not make incidents worse, to de-escalate incidents and resolve issues quickly and calmly
- There would be provision for sale at point of service, online orders and telephone orders
- Delivery services were already taking orders from the business without causing any disturbance
- The business would only confirm an order to a driver when it was ready for collection. This would assist with the issue of many drivers congregating outside, making noise and blocking the highway
- The business may consider having a door supervisor for busy times
- There was room on site to bring drivers inside to wait or collect orders so they would not be a nuisance on the street at late hours
- The business could also limit orders (The Chair confirmed that they would prefer to support businesses and that this should not be necessary, nor added as a condition)
- The applicant clarified that the vehicles owned by the business were not for delivery but for staff use and for getting to and from work
- Head Office provided training materials for Food Hygiene and Health & Safety
- There were stickers around the business in this regard from the Head Office
- Alcohol was not being sought for sale at this business
- The position of the unit was on a main route back from the city centre and would attract customers but it was expected that there would be delivery and collection orders at later hours
- Objectors had not been made aware of the soundproofing of the premises
- Soundproofing had been arranged by the franchise but the applicant did not have any documentation of this

In reaching its decision, the Panel has also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act as well as the licensing objectives. The panel considered that the premises was on a main arterial route to and from the city centre and would attract customers. However, the panel determined that this was a mainly residential area and that the requested hours were excessive, especially for mid-week days. The panel considered that there was a balance to strike between assisting a business in their endeavours and protecting local residents from noise, nuisance and litter issues.

## Decision

Grant the application subject to the following amendments -

### Provision of Late Night Refreshment

Sunday to Thursday – 23:00 to 01:00 (deliveries only after 00:30)  
Friday & Saturday - 23:00 to 03:00 (deliveries only after 02:00)

Plus, the imposition of the additional conditions to those outlined in the Application -

1. No deliveries to the premises must be made between the hours of 21:00 and 08:00
2. Refuse collections should not be carried out between the hours of 20:00 and 08:00
3. A refusals register must be maintained and made available for inspection, upon request, by GMP or an authorised officer of Manchester City Council.
4. Staff training, including conflict management and health and safety training, shall be carried out within 30 days of a new member of staff commencing employment. Such training records shall be retained upon file and be available for inspection, upon request, by GMP or an authorised officer of Manchester City Council.
5. Delivery drivers shall collect and conduct the delivery in a manner that will not cause a noise disturbance to residential properties surrounding the premises/delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the premises/delivery address and will park considerately without causing any obstruction to the highway.

**LCHP/24/68.      Application for a New Premises Licence - Sushi Marvel, 67  
Bridge Street (Basement & Ground Floor), Manchester, M3  
3BQ**

The Panel were informed that this application had been withdrawn and therefore no hearing was required.