

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.

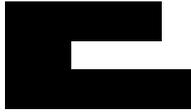
There are a vast number of students who live in Fallowfield, for many 1st years living at Owens Park it may be their first time living away from the family home and due to the easy accessibility of alcohol some of these young people may fall into the trap of using alcohol as a maladaptive coping strategy. 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



Licensing & Out of Hours Compliance Team - Representation

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	REF242833
Name of Premises	Joel's Grill
Address	317 Wilmslow Road, Manchester

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 & 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.

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).

Additional conditions also submitted to be added to the operating schedule.

The existing restaurant is within the boundary Of the Fallow Field/Wilmslow Road Special Policy Area.

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.

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.

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)