

REPRESENTATION: GREATER MANCHESTER POLICE

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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About the Premises

Application Reference No.	LPV 253599
Name of the Premises	The Drawing Room
Address of the premises including postcode	445 Wilmslow Road, Manchester M20 4AN

Your Representation

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

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

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

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

There is therefore a strong presumption against applications for alcohol led venues operating past 2330 hours in this area and MCC's licensing policy states that a genuinely exceptional case would need to be shown. The reasons for this exception should be shown within the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers. The applicant has not demonstrated that this is a genuinely exceptional case nor have they shown within the operating schedule that there will be no harm to the licensing objectives.

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

REPRESENTATION: LICENSING & OUT OF HOURS COMPLIANCE TEAM



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Rhiannon Owen
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	
Telephone Number	

Premise Details	
Application Ref No	253599
Name of Premises	The Drawing Room
Address	445 Wilmslow Road, Manchester, M20 4AN

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOHT) 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 any potential risk the granting of this licence could lead to issues of public nuisance.</p> <p>In reaching this decision the LOOHT have also given particular consideration to Manchester City Council's Statement of Licensing Policy 2016 -2021, specifically:</p> <p>“Special policy in respect of Withington Stress Area</p> <p>5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the level of crime and disorder and public nuisance within it</p> <p>5.17 The licensing authority considers that although the level of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review</p> <p>5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area”</p> <p>The premises have proposed hours of service until 2.30am Monday-Sunday, with the premises being within the Withington Stress Area this could cause disturbance due to noise nuisance to local residents within the area with it being a highly residential zone.</p>

The LOOH team have considered the implications granting these hours and acknowledge the likelihood of giving way to a noise nuisance caused by patrons and music from the venue. We would therefor suggest reducing the hours to closing at 1:30am Monday-Saturday and 1am Sunday – with last service being 01:00am Monday-Saturday and 12:30am Sunday.

We would also recommend all of annex 2 conditions to remain on the licence.

Recommendation:

Approve with Conditions (Outlined Above)

REPRESENTATION: COUNCILLOR CHRIS WILLS

From: **Chris Wills** <cllr.chris.wills@manchester.gov.uk>

Date: Tue, 24 Nov 2020 at 19:37

Subject: RE: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Dear Grace

I am emailing on behalf of the Withington and Old Moat Councillors regarding this licensing application.

We are all very proud to support local independent businesses in Withington. We have seen a growth in these over the last few years, a sign of increased confidence in the area. Venues such as Southside (formerly Solomon's), Wilderness and Café Blah all add positively to the character of the local area. The arrival in Withington of The Drawing Room, one of the best bars on Burton Road in West Didsbury, is therefore to be welcomed.

We do however have concerns regarding the proposed hours. 2.30am, 7 nights a week, is very late for a district centre like Withington. While we appreciate that there is a precedent set by the licences granted to both Solomon's (as it was then) and Fuel, these were granted some years ago. Since then, the number of people – in particular families – who live in Withington Village has increased significantly. It is also to be noted that these hours are later than for comparable

venues in Chorlton and Didsbury. The cumulative impact of an increased number of venues open until 2.30am, every night, when venues in other district centres have closed well before then, therefore needs to be considered. There are potential implications for crime and disorder, noise nuisance and public harm.

We would therefore propose that The Drawing Room instead operates on the same closing hours as two nearby Withington venues: The Albert, and The Red Lion. These venues are open until 1.30am Monday to Saturday, and until 12.30am on Sunday. At both venues, sales of refreshment cease half-an-hour earlier than these times – 1.00am Monday to Saturday, and midnight on Sunday night.

In addition, it is important that the following existing conditions around waste and litter are preserved:

- The premises shall have an adequate supply of prominently positioned and regularly emptied litterbins with clear signage.
- All waste shall be stored in secure vermin proof waste receptacles until it is collected.
- Refuse shall be removed on a regular basis.
- The management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter.

Many thanks and best wishes.

Chris

Councillor Chris Wills
Labour & Co-operative Member, Withington Ward

REPRESENTATION: WITHINGTON CIVIC SOCIETY PLANNING GROUP

From: [REDACTED]

Date: Wed, 25 Nov 2020 at 09:49

Subject: FW: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sir/Madam

I refer to the licensing application referred to below

I attach representation of Withington Civic Society.

Thank you

GO2: The Drawing Room, 445 Wilmslow Road M20 4AN

Premises Licence Application

Reference 253599/GO2

Response on behalf of Withington Civic Society Planning Group

1. Withington Civic Society Planning Group **opposes the application in respect of the supply of alcohol until 2 am 7 days a week.**

The Society is very keen to see new businesses in the area. However, in terms of the licence application, the key matter for consideration is Manchester City Council's Statement of Licensing Policy 2016-2021 published on 4 January 2016.

On page 29 of the policy there are the following provisions:

"Special policy in respect of Withington Stress Area

5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the level of crime and disorder and public nuisance within it

5.17 The licensing authority considers that although the level of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review

5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area....."

There is reference to a map in Appendix 8 of the document. The relevant premises fall squarely within the designated area. The document continues....

"5.19 This Policy has been reviewed and updated analysis of the Policy area shows that there is still a higher proportion of incidents in this area and the level of issues remains broadly consistent since the policy came into effect, with increases in victim-based crime and violent crime. Although levels of antisocial behaviour, including that recorded as alcohol related, decreased in 2013/2014, it subsequently increased in 2014/2015. Therefore the authority considers it appropriate to retain the Policy for the 'Withington Stress Area' as it stands.

5.20 Withington is a residential area which, if not carefully planned, may attract late-night venues that cannot be set up in Fallowfield due to a CIP there. It is noted that while Withington suffers less antisocial

behaviour than Fallowfield, there is evidence of problems associated with operation of licenced premises in Withington, and the licensing authority does not wish to see an increase in antisocial behaviour.”

The document then sets out the relevant approach for new licences. After dealing with other types of establishments the following provision is made:

	<i>Closing time</i>	<i>Approach</i>
Alcohol-led venues (on-licence)	Beyond 11.30pm	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

2. This application seeks a licence for the sale of alcohol both on and off the premises until 2.30 am 7 days a week. There must be a strong presumption against granting such a licence - in accordance with the paragraph above. Further, there is no good reason why such a licence should be granted, and to do so would be contrary to the Council’s stated policy for all the reasons given.
3. Of relevance also are the following points:
 - Litter in the area is already a problem and getting worse.
 - The incidence of anti social behaviour in the immediate area is getting worse with on street drinking, late night /all night parties by young people living in HMOs.
 - The problems of for example Fallowfield are working their way into Withington. The policy mentioned above was specifically designed to avoid this happening
4. The steps to promote the licensing objectives, as given by the applicant are brief and inadequate. They do not meet in any way the provisions of the Statement of Licensing Policy in Section 8.
5. In any event, whatever steps the applicant may take, the overwhelming probability is that the existence of yet another licensed premises in this part of Withington will only exacerbate the problems associated with such premises as identified in the Policy quoted above.

Therefore the application should be refused. We suggest a closing time of 11 pm during the week and 11.30 pm on Friday/Sat

For and on behalf of Withington Civic Society Planning Group

REPRESENTATION: FALLOWFIELD COMMUNITY GUARDIANS

From: **Fallowfield Community Guardians** [REDACTED]

Date: Thu, 10 Dec 2020 at 11:54

Subject: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Cc: Fraser Swift <f.swift@manchester.gov.uk>, Alan Isherwood <Alan.Isherwood@gmp.police.uk>, Alex Hill <alex.hill@manchester.gov.uk>

Dear Sirs

I am writing on behalf of Community Guardian residents in SE Fallowfield and Withington to object to the variation of license application at 445 Wilmslow Road, M20 4AN. The hours requested for the sale of alcohol until 2am, closing at 2.30am every night are completely unacceptable in an area which is covered by a stress policy which was brought into place by MCC because of existing problems of anti-social behaviour.

Withington Stress Licensing Policy

Withington village is covered by a special stress zone licensing policy (2013) implemented by MCC because of the excessive problems of anti-social behaviour further up Wilmslow Road in Fallowfield which have arisen due to a large number of pubs, bars, off licenses and take-aways 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. The stress policy has recently been reviewed and the policy remains in place because of high levels of anti-social behaviour. Residents consider that another late night take alcohol- led venue will undermine the licensing objectives for public safety, public nuisance and could lead to increased crime and disorder. Littering is also likely to increase and this is currently another major concern to Withington residents.

Withington already has a number of licensed premises (e.g. Fuel, Indigo) which cause noise and disturbance. These late licenses were granted before the Stress Policy was established. Residents do not wish to see any additional premises open during the early hours due to associated noise and nuisances that occur. It is important to note that there are residential properties above shops on Wilmslow Road and behind the shops. These include social housing and nearby apartments for the elderly. Often residents have no advocate, they have no knowledge of the licensing process or how to complain. Many of these residents do not belong to a residents group and simply suffer. The stress policy exists to protect residents and uphold the licensing objectives as set out in MCC Licensing Policy.

https://www.manchester.gov.uk/downloads/download/1905/premises_licensing_policy_2011_-_2016

This policy identifies on p30 that for the Withington Stress Policy area, there should be a strong presumption against a licence for alcohol after 11.30pm for alcohol led venues. Exceptional reasons to depart from this policy should be provided. The applicant has not demonstrated an exceptional case in our opinion.

Preventing Public Nuisance & Crime & Disorder

The suburbs of 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 engage with the night economy and licensed premises open during the early hours act as a magnet for groups. The provision of late night alcohol significantly adds to this sort of nuisance.

Before the pandemic, there were often groups of people on the narrow pavements outside the premises that open late (e.g Fuel, Indigo). There have also been serious late night assaults in Withington village including a stabbing at Indigo nightclub in February 2020 which is just two doors away at 459 Wilmslow Road <https://mancunion.com/2020/02/07/indigo-closed-after-stabbing-by-member-of-south-manchester-gang-awating-student-comment/>.

Adding another licensed premise with a 2.30am terminal hour 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 venue were to extend opening hours into the early hours and we see no reason to depart from the policy which is to refuse all alcohol licenses after 11.30pm.

Yours

██████████
Community Guardian Coordinator
SE Fallowfield & Withington

REPRESENTATION: SOUTH EAST FALLOWFIELD RESIDENTS GROUP

From: **sefrg.residents** ██████████
Date: Mon, 14 Dec 2020 at 20:05
Subject: Premises Licence Variation 253599/GO2 The Drawing Room, 445 Wilmslow Road, M20 4AN (Withington Ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sirs,

Re: 445 Wilmslow Road, M20 4AN - The Drawing Room

I am writing on behalf of SEFRG - South East Fallowfield Resident's Group to object to the above licence application.

This application is for a premises in Withington village which is subject to a special licensing policy; the stress policy. This measure was adopted in 2013 because there was particular concern that more licensed premises - and later opening hours - would negatively impact on the licensing objectives in the village. It therefore means that unless a 'genuinely exceptional case' is shown there will be a strong presumption against granting any new licences, or variations. Furthermore, if the applicant believes their premises should be regarded as an exception, they should show this in their operating schedule.

How this application is likely to impact on the licensing objectives;

1) Public Nuisance

Noise

This business already has premises on Burton Road in West Didsbury and on facebook it is advertised as open for 'Cocktails, Beer, Music and Late Nights' - i.e. it is not a food driven venue, it is in fact a bar specialising in late nights. Tripadvisor reviews are quite mixed with several recent reviews describing it as 'poor' or 'terrible' and mentioning that 'it's the latest bar open in the area' and 'although it's cramped, the late licence is a gift on Burton Road. Often our last spot'. It seems quite clear that the proposed new bar will be run along similar lines, otherwise why bother applying for a late licence in a stress policy area. I think some people might wonder why the applicant would wish to open a bar just 0.8 miles away from the current premises however, when you realise it means tapping into the highly lucrative student market in Withington and Fallowfield (as opposed to the Didsbury market), then you can quite understand the business case for it. The problem for local residents is the disturbance caused by patrons returning home after a (drunken) late night. Students, in particular, often don't limit going out to the weekends but will go out any night of the week - especially when there are drinks' promotions - and local residents often report being woken by groups of student aged people noisily walking back to their HMOs and sometimes even urinating against trees, or in front gardens. This disturbance/ASB is extremely damaging to the health and welfare of local residents and has caused many families to move out of the area.

Rubbish

Many people returning home after a night out drinking, will often pick up a takeaway on their way home and because drunk people are not usually terribly fastidious, we often see takeaway litter and vomit on the street in the morning and broken drinks' bottles on the pavements and stuffed in hedges. This is extremely depressing to wake up to and I find it sad that children growing up in this area, see these levels of litter and must think it is normal to live in this type of environment.

2)The Prevention of Crime and Disorder and Public Safety

There have been relatively recent instances of serious criminal activities in Withington village which have occurred in licensed premises, for example, in February this year it was reported that two people were stabbed by an alleged gang member just two doors down from these premises. The more late night bars there are in an area, the more unsavoury characters and people wanting an 'all-nighter' are likely to be attracted to the area - it becomes a destination place. It is not appropriate that a residential suburb like Withington which is home to a lot of

families, as well as students, should be subject to this late night economy, in much the same way as a town centre. It seems clear that the MCC's licensing statement acknowledges and recognises this which is precisely why Withington has a stress policy... and the reason why neighbouring Fallowfield (which has even greater problems) has a cumulative impact policy.

Residential suburbs like Withington and Fallowfield do not have adequate police resources or equipment like CCTV to deal with all the issues brought about by licensed premises and so residents are left powerless and exposed to the problems they cause. The special policies are one of the very few ways we can help reduce these problems and it is extremely important that local residents see them being enforced, otherwise we lose faith in the whole system.

There is nothing in the applicant's licensing schedule that suggests that this business is an 'exceptional case' and so an extended licence should not be permitted. We would also like to stress that we do not think any 'compromise' on hours is acceptable, any extension to standard licensing hours will definitely add to the range of ASB issues (as outlined above) and there is no special merit at all in deviating from the general premise; that there should be no new licences or variations. If this venue was offering something of real value to the area (e.g. a cultural merit) then we might have a different view but it clearly isn't - it's just another late night bar that would be more appropriately sited in a town/city centre.

We know that applicants sometimes contend they will manage their premises extremely well and prevent problems occurring however it is impossible to manage peoples' behaviour off the premises and, in addition, once the council grant a licence to an address, it is attached to that address, irrespective of who manages the bar and, since bars often change hands, we feel this is a very important consideration.

We therefore urge you to reject this licence application in full.

Yours faithfully,

[REDACTED]

Chair of SEFRG

REPRESENTATION: RESIDENT 1

From: [REDACTED]

Date: Fri, 11 Dec 2020 at 19:19

Subject: Late Night Licence Application in Withington Village

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

Dear Sir/Madam,

RE: Application Type: Premises Licence variation

| **Reference:** 253599/GO2 | **Premises:** The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN | **Applicant:** Dominic Patterson.

As an SEFRG neighbour I write to lodge an objection to the above application which I believe would negatively impact our Withington village, Fallowfield and neighbouring Old Moat neighbourhoods.

My causes of concern are that it is very likely to lead to an increase in **public nuisance** (noise, anti social behaviour, litter) and possibly increase in **crime and disorder** due to a considerably increased footfall.

Another concern is for **public safety** as increased levels of litter are a significant risk for older persons shopping in the village in the mornings vulnerable to slips, trips and falls with potentially devastating consequences.

Thank you in advance of your due consideration of my objection.

Regards,

[REDACTED]
[REDACTED]

REPRESENTATION: RESIDENT 2

From: [REDACTED]

Date: Mon, 14 Dec 2020 at 10:43

Subject: Premises Late Night Licence Variation - Ref: 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester M20 4AN

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

Dear Sirs

Thank you for the notification in respect of the above application.

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I strongly object to the Premises Late Night Licence Application for the following reasons:

- It will very likely lead to an increase in public nuisance including:
 - Anti-social behaviour, there is likely to be noise nuisance when customers leave the premises in the early hours.

- Litter, there is nothing in the application that addresses this issue.
- There is potential for an increase in crime and disorder.
- There is likely to be a congregation of smokers on the narrow pavement outside contributing to noise pollution affecting adjoining residential accommodation.

The stress policy adopted for Withington in 2013 along with a cumulative impact policy both measures are designed to protect the residents from the effects listed above.

I would urge you to reject this application.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REPRESENTATION: RESIDENT 3

From: [REDACTED]

Date: Mon, 14 Dec 2020 at 15:59

Subject: Reference: 253599/GO2 | Objection

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

Cc: [REDACTED]

Dear Premises Licensing,

I write to object to the application **Reference: 253599/GO2**.

As a local resident, I urge that the guidance of the 2013 Withington Stress policy be followed, not least because this area is basically residential in character.

Compelling reasons for an exception would need to be provided by the applicant. No such compelling reasons have been given.

The mitigation steps are either impractical or not under the applicant's control.

Moreover, as bitter experience has taught us and also why the stress policy was introduced, such a licensing change will lead to an increase in public nuisance, through littering, noise, and anti-social behaviour.

This application should be refused.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

REPRESENTATION: RESIDENT 4

From: [REDACTED]
Date: Mon, 14 Dec 2020 at 21:19
Subject: Application: Premises Licence variation - Ref: 253599/G02 - The Drawing Room, 445 Wilmslow Road M20 4AN
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I write to object to the request by Mr Patterson to extend the supply of alcohol for consumption both on and off the premises to noon to 2.00 a.m. (Monday to Sunday) from 11.00 a.m. to midnight.

I understand Withington has a special licensing policy called a stress policy. This is to protect the village which was adopted by Manchester City Council in 2013 in conjunction with a cumulative impact policy for Fallowfield. This policy states that for alcohol led venues there should be a strong presumption against a licence for alcohol after 11.30 p.m.

I would comment there are four licensing objectives which give cause for concern that are very likely to lead to an increase in public nuisance - noise, anti-social behaviour, litter and the possible increase in crime and disorder. A knife attack took place at the previous establishment which occupied this address. I note there is nothing in this application which will combat any litter issue.

Reading through the 'Steps' given by the applicant to promote licensing objectives I would comment as follows:

Customers will be required to only drink inside at all times

This establishment is located in a basement. What are the evacuation procedures in the case of a fire?

All windows and doors to stay closed after 9.00 p.m., apart from access and egress

In these days of Covid-19 natural ventilation is being increasingly advocated, so how can this statement be credible?

No noise to emanate to the nearest residential location

This property is surrounded by a variety of residential properties. There is a special policy for a reason!

Staff shall monitor customers' smoking on a regular basis to ensure noise is kept to a minimum

Where is this smoking area going to be located? In the public car park at the rear of the property? On the already very narrow pavement on Wilmslow Road outside the entrance to this establishment? I would reiterate my point immediately above i.e. this property is surrounded by a variety of residential properties.

Challenge 25 policy to be implemented

Presumably there is will be at least two authorised/qualified door staff on duty at all times?

I would strongly urge you to reject this application.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]