

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

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## About the Premises

Application Reference No.	<b>LPV 254601</b>
Name of the Premises	<b>Chakalaka</b>
Address of the premises including postcode	105a Oldham Street, Manchester M4 1LW

## 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 premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance and Public Safety.

The application seeks to allow the premises to extend their licensable hours by 2 hours on Fridays and Saturdays and add live music to the licence 7 days a week.

The applicant has offered some very scant extra conditions with the application and but these fall way short of demonstrating how these later hours of operation will not undermine the licensing objectives at the premises.

The area where the premises are situated has issues with late night anti-social behaviour and GMP are concerned that if the premises was allowed to remain open 2 hours later at weekends it would add to these problems due to the increased numbers of inebriated people in the area.

Therefore GMP would ask that this variation is refused.



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

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**Premise Details**

Application Ref No	REF: <b>254601</b>
Name of Premises	Chakalaka
Address	105a Oldham Street, Manchester, M4 1LW

**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.

The Licensing and Out of Hours (LOOH) Team have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of this could lead to issues of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

As a result of this assessment we have concerns that the granting of this application is likely to lead to increased issues of Prevention of Public Nuisance, specifically relating to a noise nuisance, Public Safety and Crime and Disorder caused by the late opening and late sale of alcohol.

Chakalaka is located at 105a Oldham Street in Norther Quarter, immediately neighbouring on either side with residential properties, directly across narrow Oldham Street and at the rear of the premises.

The initial Premises Licence application made by Stuart Dean (Premises Licence Holder and Designated Premises Supervisor) leading to grant of the licence was on the basis that Chakalaka will be solely operating as a Restaurant. The application was deemed appropriate for the location.

Following the review of the application the LOOH Team's concern is that operation of the business is now changing into a late night, live music venue or a night club, which LOOH Team finds inappropriate and detrimental to the nature of the area. We are also confident that it will have an impact on neighbouring premises.

Number of noise complaints were already raised about the Chakalaka venue by residents of immediately neighbouring properties as recent as August 2020. Some of them relating to unauthorised use of the outside area at the rear of the premises. Further investigation by the LOOH Team proved to be substantiated and resulted in warning letters being issued to Licence Holder. Shall the style of operation of Chakalaka change, in line with the current application, the LOOH Team is confident that this would lead to increase further the noise disturbance and number of noise complaints to Manchester City Council.

Despite the late hours, additional Licensable Activity (Live Music) applied for and significant risks related to the change in operation, the applicant proposed only three additional measures to promote the Licensing Objectives, beyond their current Premises Licence conditions:

- *When we have live music & stay open later we will use trained SIA door staff, to prevent crime & disorder.*
- *The use of door staff for the proposed alterations to the license will promote public safety.*
- *Children not allowed on the site after 11PM.*

The LOOH Team finds these conditions to fall far below the standard and principles set out in paragraph 4.11 of the Manchester's Statement of Licensing Policy.

Frontage of the Chakalaka premises is mostly covered by a large single-glazed window, which would facilitate the live music to emanate onto the street level and vicinity of the area causing a disturbance. This was not addressed in the application whatsoever.

Paragraph 7.2 of the Manchester's Statement of Licensing Policy also clearly sets out expectations of the applicant:

*"In accordance with the section 182 Guidance, when setting out the steps they propose to take to promote the licensing objectives, applicants are expected to obtain sufficient information to enable them to demonstrate that they understand:*

- *The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises, and proximity to areas where children may congregate*
- *Any risk posed to the local area by the applicant's proposed licensable activities*
- *Any local initiatives (for example, local crime-reduction initiatives or voluntary schemes, including local taxi-marshalling schemes, street pastors and other schemes) that may help to mitigate potential risks."*

Disregard to the above, and entire Section 7 (*Local Factors*) of the Manchester's Statement of Licensing Policy demonstrates that the applicant did not make any attempt to identify the risk factors specific to this premises' change of operation or considered the residents of the area during the application process.

Shall the application be granted with proposed extended of hours (4am), Chakalaka would be one of the latest opened premises in the vicinity. As a result, the LOOH Team have concerns that it would encourage already intoxicated members of the public dispersing from other premises closing earlier and attracted by the late terminate hour to walk through the residential areas of Oldham Street and Tib Street to attend the venue.

Considering the volume of residential properties within such a close proximity of Chakalaka and number of noise complaints already made against the premises, there is an increased risk of undermining the Prevention of Public Nuisance Licensing Objective which was not addressed anywhere in the application.

Additionally, during two proactive visits conducted to the premises by LOOH Officers in August and September 2020 the premises were found breaching Covid19 Government Regulations. Officers witnessing the offences also deemed them to be undermining *Public Safety* Licensing Objective, which is of a grave concern. Both visits and breaches of the government guidance were followed up by official warning letters.

In January 2018 following another complaint the Applicant was witnessed carrying out unauthorised licensable activity and committing an offence under Section 136 of the Licensing Act 2003 by selling by retail of alcohol past the permitted hours.

All above along with the poor quality of the application poses serious competency concerns as a Premises Licence Holder and Designated Premises Supervisor operating such a late-night venue. It also demonstrates that the applicant did not consider or disregard to the impact and risks amending the Premises Licence may have on the local area. This is providing the LOOH Team with a very little faith in responsible running of the premises shall the extended hours until 4am and additional licensable activity were granted.

We therefore recommend to Refuse the Application, in order to prevent the problems described above.

Signed: 

Dated: 18 January 2021

Recommendation: Refuse Application