



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	[REDACTED]
Telephone Number	[REDACTED]

Premise Details

Application Ref No	REF 255581
Name of Premises	Dixy Chicken
Address	5a Wilbraham Road, Manchester, M14 6JS

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 granting 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 applicant has applied for the following hours and licensable activities:

Provision of late-night refreshment:

Mon to Sun 11.00pm to 3.00am

(Telephone/Online orders for home delivery only between 1.00am to 3.00am)

Opening hours:

Mon to Sun 11.00am to 1.00am

(Telephone/Online orders for home delivery only between 1.00am to 3.00am)

The premises is situated on the busy Wilbraham, Wilmslow and Mosley Road Crossroad (both with traffic and pedestrians). The premises is facing the popular student licenced music/restaurant/ bar venue 256. To the left facing the premises is a late opening Shisha bar, to the right a Noodle takeaway, a licensed burger takeaway open to public until 03.00am and a nearby licensed Indian restaurant open to public until 01.30am.

There are residential flats above several of these existing premises, a nearby apartment block and residential housing estate 50 metres to the rear of the premises.

The premises does have existing planning consent 102282/JO/2013/S1 granted in 2013 for hours of operation Mon - Sun 11am - 3am. For carrying out this activity.

The applicant acknowledges that the premises is situated within the special policy area (currently subject to review) as had previously applied in August 2020, REF 247136. It appears the applicant has reviewed the committees comments and reasons for refusal and had made significant changes to this new application.

Whilst further comprehensive conditions have been put forward in respect to all four licensing objectives, Licensing and Out of Hours Team recommend that in order to uphold the licensing objective in respect to public nuisance, the following additional conditions are attached to the Premises Licence., subject to the application being approved;-

- 1. Post 01.00am operation is strictly delivery only. e.g. via third party food ordering companies, from the premises to a delivery address. Click and collect option by customers from the premises is prohibited. Clear information regarding this is attached to promotional materials (menu etc.) and online ordering platforms.**
- 2. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.**
- 3. A direct telephone number of the manager of the premises shall be publicly available at all times the premises are open. The telephone number is to be made available to residents in the vicinity.**
- 4. The premises licence holder shall attend a minimum of four local residents meetings per annum (if invited) to resolve any problems associated with the carrying on of licensable activities at the premises.**

We believe these conditions are proportionate and necessary to uphold the licensing objectives in respect to public nuisance.

Recommendation: **Approve with Conditions (Outlined Above)**

From: Fraser Swift [REDACTED]

Sent: 08 March 2021 22:16

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

Subject: Re: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

On behalf of the licensing authority as a responsible authority, I am objecting to the grant of this application.

Although Fallowfield has been subject to a cumulative impact policy, this is currently under review and so not in effect. Nevertheless, cumulative impact can still be considered relevant to the grant of licensing premises:

14.42 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact. (s182 Guidance)

Fallowfield is already populated with a high number of late night food takeaways and, disregarding commercial demand, there is evidence of negative impact of such businesses on the locality, particularly in relation to discarded litter and I am familiar with the concerns of local residents over the detrimental effects that discarded litter has on the area.

The applicant has set out the steps they intend to promote the licensing objectives. However, it is submitted that the granting of an additional hot food takeaway would be likely to undermine the licensing objectives, in particular the prevention of public nuisance.

An application to extend the hours for this premises by the same applicant was rejected following a hearing last year and, besides the special policy, it is submitted that the same reasons would still apply now. (A copy of that decision is provided below)

Section 7.1 of the Council's Licensing Policy states:

The authority recognises that licensed premises and activities can play an important role in ensuring the vitality and prosperity of the city in terms of economic growth, additional employment opportunities and improved physical environments However, if not managed carefully, negative impacts can arise. Licensed premises are expected to be an asset to their local area through the promotion of the licensing objectives.

Having regard to the pre-existing issues in this area, in my opinion the grant of this licence would not be consistent with the promotion of the licensing objectives. I don't believe that conditions or reduced hours would be effective, and so the application should be refused in line with para 4.13 of the Council's Policy:

4.13 However, where all the above steps are not considered appropriate and sufficient to promote the licensing objectives by the authority, the policy is to refuse the application

Regards

Fraser Swift
Principal Licensing Officer

Decision:

To refuse the application on the grounds of prevention of public nuisance.

Reasons:

The Committee considered the content of the Report, the oral representations of all parties as well as the relevant legislation, guidance and Manchester City Council's statement of licensing policy. The Committee noted that the premises is situated in the Fallowfield and Wilmslow Road special policy area. The effect of the policy is that where there are representations against an application there is a rebuttable presumption against granting the application unless the Applicant can demonstrate why the operation of the premises will not add to the cumulative impact already being experienced.

The Applicant told the Committee he was aware of the special policy and accepted that operating the premises until 04:30 am as applied for would add to the cumulative impact in the area however taking into account the nature of the area he considered that if the hours were granted until 01:30 on Sunday and 02:00 Monday-Wednesday and 03:00 Thursday-Saturday this would not add to the cumulative impact. He told the Committee if he operated for these hours he did not consider this would change the behaviour of customers in the area as these times were in line with other restaurants and bars and therefore he considered it would not add to the issues in the area. He told the Committee he considered the measures he put forward in the application would prevent any further issues in the area. In particular he made reference to relevant signage being displayed in the premises and also trying not to serve intoxicated customers. When asked to provide more detail about some of the measures such as litter control and security the Applicant was not yet able to offer details of how those measures would be put into practice.

The Responsible Authorities and residents confirmed to the Committee that the area suffers from a disproportionate level of litter and discarded food caused by high levels of late night takeaways within this residential area. Residents frequently find discarded fast food packaging, including from Dixy Chicken within their gardens as well as on the streets surrounding their properties. Residents in the area have the additional burden to go out litter picking due to the volume of such waste being deposited in the area. The Committee also heard from Greater Manchester Police that the area suffers from begging, street drinking and other antisocial behaviour which would also be exacerbated by the addition of another late night takeaway venue in the area. Licensing out of Hours also told the Committee it was their view that there would be an increase in noise in the area if an additional late night takeaway licence was granted which would impact on residents due to the proximity to residential accommodation. Residents confirmed they are frequently woken up at night by customers from premises including late night takeaways making noise on the streets, predominantly from students who tend to attend late night takeaways in groups rather than as individuals and have usually been drinking prior to getting their food.

The Committee accepted that there are issues in the area in relation to noise and litter coming from the operation of the existing late night takeaways and considered that the Applicant had not demonstrated how the operation of these premises for the amended hours applied for would not add to the cumulative impact being experienced by residents in the area. The Committee considered that if the premises was open later this would add to the noise and litter in the area from fast food takeaways. Although the applicant had put forward some proposals the Committee considered these were vague and did not have sufficient detail, the Committee did not think these measures had been fully considered by the Applicant and therefore the Committee did not consider there were any exceptional reasons to cause it to depart from the policy and considered it appropriate to refuse the application in order to safeguard the aims of the policy.

Application objection Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]
Sent: 07 March 2021 21:04
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Application objection Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Dear Licensing Team,

I'm objecting to the application of a increase hours of the Dixy chicken takeaway on Wilbraham Road.

There outlet causes so much littering already and is clearly connected to the antisocial behaviour issues from students in the streets who visit the outlet and drop the food and waste on our surrounding area. In addition, with the late opening will be the increase noise in the streets from the students visiting this outlet. We are a residential area not a city centre so there no need to have a chicken shop open until 3am every night?

[REDACTED] I have [REDACTED] I have food waste from this outlet thrown in my garden. If the outlet is allowed to open later it will cause more street noise and ASB from people coming and going and more waste issues on my property.

In addition, we have a real issue with taxi drivers who throw their waste on to the street from this outlet on [REDACTED] and park up on the road with their engines running.

There is no need for the outlet to open later. We have a real problem with health and obesity in the Fallowfield ward and there further opening hours would only increase the issues.

Please do not allow this application to go though.

Regards

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

Sent from my iPhone

Premises Licence(new)255581/BJ1: Dixy Chicken

From: [REDACTED]
Sent: 07 March 2021 23:11
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises Licence(new)255581/BJ1: Dixy Chicken

Dear Sir/Madam,
I write to object to the above Licence Application by Dixy Chicken Takeaway to trade until 3.00am every morning.

There is a large concentration of Licensed premises in Fallowfield District Centre. Manchester City Council implemented a Cumulative Impact Policy to prevent any further increase in late night noise disturbance and littering in the locality. Such a recognition of the exceptional public nuisance caused by Licensed Premises in Fallowfield must surely be extended to this application. Another licensed takeaway trading into the small hours will make a bad situation worse.

Please see below a copy of a recent e-mail I sent to the Off-Campus Officer, [REDACTED]. I live close to Fallowfield District Centre and the nuisance of noise and littering is detrimental to my family's peace of mind.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

Sent: Wednesday, March 3, 2021, 11:48:04 AM GMT
Subject: Re: [REDACTED]

Dear [REDACTED]
I'd like to add in relation to [REDACTED] comments that I litter picked the Avenue on Sunday and again yesterday Tuesday. On both occasions I picked up several bucketfuls of mainly discarded takeaway litter, cans and masks. It is as bad as I've ever known it. I also reported on-line yesterday broken beer bottles in the Avenue and a vandalised tree on Egerton Road.

With best wishes, [REDACTED]

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]

Sent: 06 March 2021 09:18

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

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

I can't understand why this application has come up again. Fallowfield has enough late night takeaways without adding another one. Noise, litter and drunkenness are the reasons why I object - again - to this application. I'm fed up of Fallowfield becoming 'Studentville' and all the problems this brings for us 'normal' residents.

Read the reviews of this place - it's not even decent food served pleasantly, so that's another reason for refusing to allow it to stay open later!

[REDACTED]
[REDACTED]
[REDACTED]

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]

Sent: 06 March 2021 12:45

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

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Good morning,

I am writing to object to the application for the Dixy Chicken takeaway take away to stay open until 3am.

I live in the area, and already find that the noise, litter and anti-social behaviour around businesses like this have a highly negative impact on our community.

I regularly run past Dixy Chicken in the mornings and the litter outside, along with, unfortunately, occasional piles of vomit from customers the night before is a blight. In addition, the congestion caused by delivery drivers and customers who attempt to park really close to the traffic lights is hazardous. Unfortunately, that particular parade of takeaways is also becoming a real magnet for anti-social behaviours with groups of young men hanging around, creating an unsafe atmosphere for residents. By opening later, the unit will become a focus for even more drunken anti-social behaviour.

I hope that you will turn down this application for the health, safety and wellbeing of residents in the Fallowfield community.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]

Application Reference: 255581/BJ1

From: [REDACTED]
Sent: 05 March 2021 17:44
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Application Reference: 255581/BJ1

Dear Council/Licensing

We wish to oppose this proposal for a number of reasons.
As you are aware Fallowfield has been part of a CIP in response to the problems of litter and anti-social behaviour in the area.
We feel an extension to the hours will only make the problems worse.
We live in [REDACTED] and regularly have Dixy Chicken waste dumped by walking customers AND increasingly by those who sit outside in a car and then dump their waste on the pavement or road. This weekend we actually removed two chicken waste bone carcasses from the front garden which had been thrown there.

While not all the waste dumped is from Dixy, there has been plenty that was in their packaging and so clearly identifiable.

Later opening means more people wandering down the street in early hours disturbing our family in what is a mixed neighbourhood where many of us have work in the morning. Indeed we and a number of our neighbours are key workers who don't enjoy having our sleep disturbed in the early hours, nor having to clear their litter.

We hope we will reject this application and support families in this area.

Regards

[REDACTED]
[REDACTED]
[REDACTED]

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]

Sent: 05 March 2021 17:46

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

Subject: Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Re the premises licensing application below

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To The Premises Licencing Officer, Manchester
Council PREMISES.LICENSING@MANCHESTER.GOV.UK

I wish to lodge my strongest objection to this license application, on the grounds that there are already more than enough take away premises within the crossroads area of Fallowfield and to extended the operating time of this one for four further hours up to 3.00 is unacceptable. I believe that it will harm our community further by adding more public nuisance if this late licence is granted.

- Late night deliveries bring issues of wrong delivery calls at our home late at night and also the unwanted noise of deliveries nearby ... all disturbing our sleep.
- The Dixie Chicken rubbish already thrown in our garden and on our street is not only a nuisance and eyesore – it also creates a health hazard. More sales time to produce more rubbish will only exacerbate matters.
- The parking from customers and delivery drivers, often on the pavement near the outlet and near a very busy crossroads, causes a traffic hazard.
- In addition to creating a public nuisance and a safety hazard, it is the case that that the nature of the product sold from these premises is classed as a health hazard by our medical practitioners and Council public health practitioners.

In conclusion, It is clear that this food outlet is a liability and not an asset to our community. This is confirmed by the tenor of negative reviews on TripAdvisor..

https://www.tripadvisor.co.uk/Restaurant_Review-g187069-d1023161-Reviews-Dixy_Chicken_Fallowfield-Manchester_Greater_Manchester_England.html

This is a repeated late night licence request which has been refused four times before and should not be granted on the fifth application. Furthermore, the applicant should be instructed to cease and desist from making further applications as s/he is wasting public money in this way.

I trust that Premises Licensing, Manchester Council will take the right decision here in refusing the request as part of an ongoing process/journey towards restoring some greater degree of health, wellbeing, peace and harmony to our over-exposed and poorly-served neighbourhood in the Fallowfield ward.

Yours sincerely,

[REDACTED]

255581/BJ1 Dixy Chicken Unit 1, 5A Wilbraham Road, M14 6UW

From: [REDACTED]
Sent: 07 March 2021 12:06
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: 255581/BJ1 Dixy Chicken Unit 1 5A wilbraham Road M14 6UW

Dear Sir,

I wish to object to any extension of opening hours for this premises.

Fallowfield already has a problem with late night disturbances and for this business to open until 3am every day will bring more people to the area. Even delivery and take away only will cause additional disturbance as more traffic will be driving along the neighbouring streets.

Fallowfield has a big problem with litter. A lot of this is from discarded takeaway wrappers and I have certainly seen Dixy Chicken packaging lying about the place. I have twice in the last three days had to clear up broken bottles and food wrappers from [REDACTED] [REDACTED] [REDACTED] Additional opening hours will just add to this.

I hope the licensing committee will refuse this application for additional opening hours.

Yours sincerely,

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

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1 5a Wilbraham Road, Manchester M14 6JS (Fallowfield ward)

From: [REDACTED]

Sent: 07 March 2021 18:03

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

Cc: [REDACTED]; [REDACTED]

Subject: FW: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1 5a Wilbraham Road, Manchester M14 6JS (Fallowfield ward)

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1 5a Wilbraham Road, Manchester M14 6JS (Fallowfield ward)

Dear Sirs,

I write as a member of the South East Fallowfield Residents Group (SEFRG) planning sub-committee in relation to the above application from Dixy Chicken at 5a Wilbraham Road, Fallowfield for a licence to extend their normal hours which would allow them to trade up to 03.00 every night Monday through Sunday.

We vigorously object to this application on several counts including:

Public Nuisance:

Residents in the local area regularly litter pick the roads in their localities and Dixy Chicken wrappings/boxes invariably feature in the daily haul. Such litter regularly finds its way into the tree bases and gardens, on garden walls, in the gutters and pavements. Much of the litter includes the remains of food which encourages the interest of rodents in particular which are a health hazard.

Public Safety

The Dixy Chicken premises are very close to the junction of Wilbraham Road and Wilmslow Road, both of which are very busy.

Of additional concern is the parking of the Dixy Chicken delivery vehicles on the pavement outside the premises decreasing accessibility for pedestrians, wheelchair users and buggies. Delivery vehicles are often observed doing U-turns at this major crossroad junction posing a threat to road safety.

Public safety is also affected by the cavalier attitude of the catering staff to food safety this statement is born out of their comments posted on line in respect of Dixy Chicken's current offering, comments include:

The reviews make damning reading:

- Food was poor.
- My burger had green "fluff" on it
- Bread and filet were stale, food was bland and refried.
- Delivery driver was smoking in his car with my food in there the food was stone cold.
- The food is nasty enough already without it being stone cold! Not impressed.
- 'we ordered burgers and they were undercooked and it made us very unwell.

They go on.....

Dixy Chicken sounds like a real threat to health!

Another late night take-away / delivery service is only going to exacerbate the already serious rubbish and litter issues this area experiences not to say the detriment to the health of residents from the often associated noise and late night public nuisance that accompany extended opening/trading hours.

Fallowfield is already saturated with late night takeaways; the addition of a further late night takeaway will only compound the situation.

We ask for the rejection of this application.

Yours faithfully,

[REDACTED]

[REDACTED]

SEFRG Planning Sub-Committee

Premises Licence 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS

From: [REDACTED]

Sent: 08 March 2021 14:15

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

Subject: Premises Licence 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS

Re: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS

I live in the area and am constantly subject to the problems that takeaways already present to the local community.

I would therefore like you to reject this application for the following reasons.

- Increased litter nuisance.

Takeaway wrappings and discarded drink and coffee cartons placed on the pavement where a car has been parked late at night are an increasing problem in the streets surrounding this takeaway. This will only increase if people are allowed to use this in the early hours when there is no one about to question their behaviour.

- Increased noise.

Late night takeaways seem to attract cars with loud exhausts and stereo systems. If this licence is granted then there is the likelihood that this noise will extend into the small hours. Delivery vehicles would also operate later into the night with the associated traffic noise and door knocking.

- Dangerous parking

Cars and delivery vans using this takeaway and others adjacent to it often park and manoeuvre close to the busy junction with Wilmslow Road creating a danger to others. Please refuse this application

Kind Regards

[REDACTED]

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: Fallowfield Community Guardians [REDACTED]

Sent: 08 March 2021 15:35

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

Cc: [REDACTED]; [REDACTED]; [REDACTED]

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians. We strongly oppose the request for **yet another late-night licence**. This is the fifth one, the last four have been refused. The reason for our continued objection is that this area is swamped with late night takeaways and licenced premises which create a vast amount of public nuisance including night noise from (the mainly student) patrons who walk past our homes late at night and wake us up. The cumulative effect of all these licensed premises is not good for the health and wellbeing of families who live in the area all year round. Many of the licenced premises cater mainly for the student population and don't operate at all (or at greatly reduced hours) during the academic holiday periods (Christmas, Easter and summer). This is almost half of the year.

The applicant is the same as named on the last application (summer 2020). Despite the list of conditions, we do not believe that the management of the premises is acceptable or that there has been any change over recent months. Recent reviews attached indicate that staff and delivery drivers do not behave in a responsible manner.

← Dixy Chicken - Fallowfield

OVERVIEW MENU **REVIEWS** PHOTOS

 **John Daly**
1 review

★★★★★ 4 days ago

This place sent me and my family burgers and within one of the burgers was a massive piece of metal wire. Called them to report it and guy on the phone insisted this was impossible. Requested a refund for that burger and guy declined saying not possible. Never eat from there again

← Dixy Chicken - Fallowfield

OVERVIEW MENU **REVIEWS** PHOTOS

A A
8 reviews

★★★★★ 3 months ago

This place was better under old management. We ordered burgers and they were undercooked and it made us very unwell. We will never eat from here again. Besides the food the men gope at you like they've never seen a woman in their life before!!!

👍 2 🔄

← Dixy Chicken - Fallowfield

OVERVIEW MENU **REVIEWS** PHOTOS

M M Khat
1 review

★★★★★ 4 months ago

Absolutely vile how they speak to you over the phone . I waited over two hours for an order . i've been ordering from this place for over 10 years never had a problem since new management took over. Not worth it they always bring food cold , they are too busy chattering away rather than taking phone orders or Actually making food

👍 2 🔄

Since the last hearing for Dixy Chicken Fallowfield we note that there was a hygiene rating of 2 in October 2020 and the just eat website advertises their opening hours beyond 11pm without a licence for late night hot food. This does not inspire confidence in the upholding of the licence conditions or good management.

Public Nuisance

There is already an overabundance of licenced premises in Fallowfield which target the vast number of students that live in this suburb. Residents in our group have been suffering the effects of the excessive number of licenced premises for years. These create massive amounts of public nuisance due to the number of premises. Another opening until 1.00am every night with deliveries until 3am is not what Fallowfield needs and we are convinced that it will add to the cumulative impact of noise and litter. How can it not? Litter will be dropped and this may not be outside the premises. Dixy litter is found all over Fallowfield already. A short walk this week around Fallowfield this week led to the finding of many discarded Dixy wrappers including on the Holy Innocents church car park, Wilbraham Rd, Wellington Rd, Landcross Road as well as many others. Some example photos are attached.

Fallowfield has many restaurants, takeaways and bars selling food. This accounts for a high percentage of the retail units and is amongst the highest (probably is the highest) percentage in all district centres in Manchester:

McDonald's	Nest (nightclub)	Kebab King
Abduls	Wetherspoons	Kosmos
Saajan	Arabian Nites	The Bar
Blue Café	Yoyo Noodles	Haus
Joel's Grill	Burger Box	Cremes
Allen's Fried Chicken	House of Chai	Desi's
Subway	Turkiss	Jaipur Palace
Tzatziki	Krunchy Fried Chicken	Yahala
Dixy Chicken	Dominos	Inferno
Reds True BBQ	Chesters	Friendship (pub)
Chicken King	Papa Johns	Nandos
Fuzion	Dream Wok	Nayaab
256 (nightclub)		

Some of the above premises have a late-night licence which runs into the very early hours but many do not. The problems of noise and anti-social behaviour caused by the large number of these create noise nuisance as well as litter because takeaways rejuvenate people after a night out at a bar. They then became even louder on their walk home and often deposit their litter in our hedges and gardens.

Deliveries during the night already bring a lot of noise and traffic to residential streets and sometimes result in residents being woken during the night by delivery to the wrong address. Car door slamming and engine revving disturbs our sleep. There are many families living in Fallowfield who have children and the constant erosion of normal peace at night-time by delivery vehicles operating from late night licensed premises means that residents (including students) often suffer sleep deprivation. Parking access for delivery drivers is also near a very busy road junction where there are a high number of road traffic accidents. The extra delivery vehicles will add to these problems and add to problems of **Public Safety**

Conclusion

Residents feel that another late night take away in Fallowfield will undoubtedly add to the cumulative impact and will undermine the licensing objectives. No amount of conditions imposed will convince us that these premises will uphold the licensing objectives especially in relation to public nuisance, so we ask that this application be refused in full.

Yours

██████████

Community Guardian Coordinator
Fallowfield & Withington



just-eat.co.uk

Dixy Chicken (Fallowfield)

Opening times

Feedback

Delivery	Collection
Monday	11:00 - 00:45
Tuesday	11:00 - 00:45
Wednesday	11:00 - 00:45
Thursday	11:00 - 00:45
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:45

Dixy Chicken (Fallowfield)

Tap here if you or someone you are ordering for has a food allergy.

Menu Information

Food hygiene rating

FOOD HYGIENE RATING

0 1 **2** 3 4 5

IMPROVEMENT NECESSARY

Last inspection 23/10/2020

Rating by the Food Standards Agency and your authority. This rating may have changed.

[For more information](#)



Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Thu 25/02/2021 07:13

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

Your Ref: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To whom it may concern;

I am a long-term resident [REDACTED] [REDACTED] and I am objecting to the request for a license extension until 3:00am Monday > Sunday at "**Dixy Chicken**" (5a Wilbraham Road, Manchester, M14 6JS)

These premises (Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS) are situated on Wilbraham Road Fallowfield, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself [REDACTED] and local residential properties and is also in an area where there are several bars, public houses, off licenses & takeaways and one of the largest student populations in Europe.

The extended operational hours requested (Until 3am 7 x days a week) would mean that the premises would be open later than nearly all other premises in the area.

This will create added noise disturbance which will obviously be extended beyond what is already being suffered on a regular basis by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other alcohol related anti-social behaviour and to allow the premises an operating window until 3am 7 x days a week will undoubtedly exacerbate these problems.

Students (of which the greater percentage of cliental to this junk food emporium would be) are a magnet for robbers and drug dealers. The inebriated student (who, quite frankly, in this condition, bless them, are the only humans purchasing this junk) staggering around with their "**Dixy Chicken**" box, is an easy pic for a robber. A drug dealer, would find this spot irresistible in the small hour time for an extra sale.

"Dixy Chicken" Operation. 51% of feedback comments, give this junk food emporium 1 star out of five stars and I will quote a most recent one from 12-01-21:-

"Poor customer service Very aggressive staffs This branch has changed hand recently and since the service and food quality is gone down, staff at this place are very rude and aggressive DO NOT ORDER OR VISIT THIS TAKEAWAY"

The extended operational hours requested (Until 3am 7 x days a week) would only be creating an addition to the 1-star reviews then, and more importantly, to affecting the wellbeing (most certainly, constitutionally) of the junk food patron.

The Wilmslow Road area of Fallowfield has a Cumulative Impact Policy (What this means is that this area has been identified as one in which there is a concentration of licensed premises which is deemed maximum for an area to contain and that the hours in which premises can open and are already at the earliest and latest times acceptable for the area) the application here in this operating window (Extension until 3am 7 x days a week) is only going to add to problems of street noise, nuisance and litter (I'm fed up with picking junk food wrappers, boxes and used tissues out of my front garden)


Manchester City Council do not create Cumulative Impact Zones lightly and quite frankly, Wilmslow Road/"Brow" area of Fallowfield does not need an operating window of this nature (3am 7 x days a week) adding to the already insufferable cacophony of noise (delivery cars coming and going, early hour inebriated patrons {mainly students} screeching and hollering etc)

I would be very grateful if you could consider these points,

Yours sincerely,

A large black rectangular redaction box covering the signature area.

PS Comments. It has also just been brought to my attention, that, unbelievably, this is the fourth time in a few years, that "*Dixy Chicken*" has applied for a small hour's late licence. Each and every one of these has been refused. The fact of the matter is; nothing's changed, the reasons surrounding those refusals haven't changed and therefore I've every confidence that the good folk of the committee will refuse this yet again

A black rectangular redaction box covering the end of the paragraph.

From: [REDACTED]
Sent: 02 March 2021 11:42
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: FW: AMENDED CONSULTATION NOTIFICATION Re: Premises Licence (new) application 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Dear Sir

Please find attached the comments of Withington Civic Society to this licensing application

Many thanks

[REDACTED]
Withington Civic Society planning coordinator

Response on behalf of Withington Civic Society Planning Group

Withington Civic Society Planning Group **opposes the application.**

This is a repeat application. We believe similar applications for the same premises have been made on several occasions and in each case have been rejected.

We believe, according to research previously carried out by Manchester City Council, that Fallowfield already suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas,. The degree of antisocial behaviour recorded in the area is also significantly disproportionate. Antisocial behaviour levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

Complaints about antisocial behaviour from local residents repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield. Problems of preloading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield.

We would note in particular that:

- Litter in the area of the relevant premises is already a problem. Later opening hours will exacerbate this.
- Noise from delivery vehicles, not to mention hammering on doors, ringing of doorbells and so on will add to the night time disturbances
- The incidence of antisocial behaviour in the immediate area causes significant loss of amenity to families and residents, with much on street drinking and late night /all night parties by young people living in HMOs. Such a late night takeaway will lead to the congregation of large numbers of drinkers with all the attendant noise and littering.
- The problems of for example Fallowfield are working their way into Withington, and we in Withington are very anxious that the situation in Fallowfield should not get any worse.

Premises Licence. 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, M14 6JS

From: [REDACTED]

Sent: 08 March 2021 15:43

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

Subject: Premises Licence. 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, M14 6JS

I write to object to yet another premise wishing to extend its hours. We already have plenty takeaways. Granting licence extension will simply lead to more noise, more disruption of people's sleep, more litter, and more drug activity. These aspects are already at unacceptable levels for residents, have increased year on year, and have had profound effects on South East Fallowfield as a civilised living space.

Each day I fully expect to go into my front garden and find food wrappers, food trays along with beer cans or wine bottles left on my front wall, or, more usually, thrown into my garden. Adding another 28 hours of vending a week will only add to our poisoned travails.

We have had enough of a structurally fragile economy (night-time economy) which has given much anger and anxiety to the decent folks of our communities.

We do not want this. Reject it.

[REDACTED]

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1,5a Wilbraham Road, Manchester, M14 6JS (Fallowfield ward)

From: [REDACTED]

Sent: 08 March 2021 17:00

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

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1,5a Wilbraham Road, Manchester, M14 6JS (Fallowfield ward)

Dear Sir / Madam,

I write to object to this proposal for even later night opening of this business.

On reading the owners proposals for improving matters there is very little, if any, which take into consideration the effect this proposal will have on the long-term residents in the wider area where most of the students live. We have suffered long and hard from businesses which sell their wares into the early and late nights.

We find packaging, boxes, papers, cardboard cups, straws, left-over food and bottles flung into our gardens or left on our walls or just dropped in the street for residents to clear up. The noise we suffer from due to passing revellers is enough to wake up children who have to get up for school and adults for work, there is no consideration shown for we residents.

I cannot see the necessity for food retailers to be open so late, except to fill the pockets of their owners, with no thought for others! Therefore, I ask that the Licencing committee please refuse this proposal.

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

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]

Sent: 08 March 2021 17:54

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

Cc: [REDACTED]

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

I write to object to this license application in that there are already many take out outlets in this area—not least in the centre of Fallowfield.

I do not see how extending the opening times will enhance an already stressed area nor contribute to the wider wellbeing of those in the area.

In particular, I object on the grounds that:

- Late night/early morning deliveries from such an outlet make a disturbance in local streets.
- An extension will mean the generation of yet more meal-related rubbish:
[REDACTED]

Finally, I think that yet another application from this outlet is an abuse of the licensing process.

I urge that Premises Licensing, Manchester City Council refuse this application.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Dixy Chicken, M14 6JS

From: [REDACTED]
Sent: 08 March 2021 19:41
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Dixy Chicken, M14 6JS

Dear Sirs/Madam,

Re: New Premises Licence

255581/BJ1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS

I am writing on behalf of South East Fallowfield Residents' Group (South East Fallowfield Residents' Group). We would like to object to the above application in the strongest terms. We believe this is the fifth time this applicant has applied for a new licence and each time the application is broadly the same. First of all, I would ask the council's legal advisors to consider whether repeated applications like this are regarded as vexatious, frivolous or repetitious and should therefore be refused at the outset? Whilst this test normally seems to apply to objectors, we haven't seen anything in the Licensing Act that specifically prevents it being applied to applicants. Repeated requests like this place a very unfair burden on local residents who have to keep a constant eye on all new licence applications, then spend time composing their objections and (where possible) attending hearings. If they do not do this, because of the permissive nature of the Act, these licences will be automatically granted.

In most areas, the Licensing Act probably works quite well because local businesses are obviously keen to serve the needs of local residents and so these types of conflicts don't normally arise however, in areas where there are very large transient populations (e.g. tourists, students etc) this issue is much more likely. In Fallowfield (M14 6 postcode area) 56% of the population are now students and there are extremely high numbers of licensed places (37 in district centre alone) which target this market and want excessively long opening hours which would simply not be tolerated, or supported, in other suburban areas. This is not a city centre.

Aside from the Act itself, we wonder whether this type of burden also constitutes an infringement of our human rights, again we would ask the council's legal team to examine whether this is the case. In particular, we note that Article 1 of the First Protocol talks about the right to peaceful enjoyment of your property and this constant intrusion into our lives certainly does affect our peaceful enjoyment. We have to spend a lot of time researching licensing law, producing evidence, writing objections and speaking at hearings. Moreover, this is not something everyone is able to do - not everyone has the necessary communication skills, confidence or time to deal with these matters and we cannot afford specialist legal advisors to do this work for us, particularly because of the sheer volume of applications we face.

Public Nuisance:

Litter Issues

It is quite clear to us that this is yet another business hoping to capitalise on the late-night student market as they return from the nearby bars/clubs, from visiting friends or simply nipping out for a late-night food fix. Most working people and families will not be looking for a meal after 11pm. We know from experience that these late-night customers are often under the influence of alcohol and/or other substances- and, as such, they are much more likely to drop takeaway litter on their way home. Any amount of litter picking in the immediate area of the shop will not stop this happening. On a recent walk to Platt Fields Park, we saw Dixy litter strewn on the streets and, in particular, we saw

several wrappers in the Fallowfield Brow area. The council already provides extra cleaning services to deal with the litter problem but, in spite of this, we still wake up to take away litter (including Dixy's wrappers). I think it is particularly sad that children growing up here will see litter as 'the norm' and I am sure that this is building up yet more problems in the future as a generation grows up thinking it's okay to drop your rubbish. Apart from the litter aspect, there are also the noise implications - (intoxicated) people out at this time of night are often in groups (and this particularly applies to students) and we know to our cost that they are often extremely noisy. It is not uncommon to be woken up several times a night by these groups and, over a period of time, I think this is very damaging to our collective health and wellbeing (again I would ask you to consider Article 1 of the first protocol of the Human Rights Act).

Noise

We also note the applicant would like to do late night home deliveries and we are also strongly opposed to this. Local residents complain about being woken up by these takeaway deliveries. Loud door knocking (HMOs often don't have bells), car doors slamming/motorbikes revving, deliveries going to the wrong address are all very disturbing and it is particularly damaging when you have to wake up early the next morning for school, lectures or work. I spoke to a student last year who asked how we managed to cope with the nightly disturbance, year on year. She came from South London (so not some quiet backwater) and said that she often experienced migraine attacks from lack of sleep caused by the street noise around here. Moreover, just because takeaways are delivered doesn't mean that there are no litter issues. Takeaway wrappers like the Dixy's boxes are quite bulky and we often see litter of this nature in front gardens and overflowing from wheelie bins. The most depressing thing about this type of litter is that we cannot even clear it up ourselves because it isn't on our land.

Public Safety

Dixy's is situated very close to the Wilmslow Road/Wilbraham Road junction and to have delivery drivers pulling in and out with deliveries will obviously pose an increased road safety hazard - especially bearing in mind the level of traffic, including cyclists, in the area

Conclusion

We cannot see any possible benefit in granting this licence in any form whatsoever, indeed we think there is a very strong case to say that this application should be struck out from the outset because it is substantially the same as previous applications.

However, if it does come to a hearing, we would urge the panel to refuse the application in full - there are no conditions which will prevent it causing a (significant) public nuisance and thereby undermine the licensing objectives. Allowing the potential for any more litter in this area is completely unacceptable, especially at the moment when council revenues have been slashed and there just aren't the resources to deal with any extra policing/enforcement issues associated with this type of premises. We really fear that unless firm action is taken by the various authorities to deal with these issues, we will lose yet more local people.

Yours sincerely,



Chair of SEFRG

Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

From: [REDACTED]

Sent: 08 March 2021 20:15

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

Subject: Premises Licence (new) 255581/BJ1: Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Dear Licensing Team

I refer to the above request for a late-night license.

It is unfair on our locality to grant this application. There are already too many of these 'takeaways' and the increase in litter, antisocial behaviour and noise is unacceptable.

There are not enough resources in the area to deal with these additional issues.

Please refuse this license.

Regards

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

Premises Licence 255582/BJ1

From: [REDACTED]
Sent: 08 March 2021 23:36
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises Licence 255582/BJ1

Dear Sir/Madam,

Re: application 255581/BJ1.

Dixy Chicken
Unit 1
5a Wilbraham rd.
M14 6JS

I live in Fallowfield and I would like to strongly object to this new licence application. I understand that these premises have applied for a late licence numerous times before and the panel have rejected their application with good reason. I do not see how granting a late licence both at the premises themselves and late-night deliveries will aid the licensing objectives, in particular with regard to public nuisance.

Dixy Chicken litter wrappers are very prevalent in our neighbourhood and it's perfectly obvious that extending the opening hours will increase the amount of litter. In particular customers who visit these types of premises in the early hours are often drunk and do not care where they drop their litter. We are regularly woken up by comings and going's in the middle of the night and it's often by groups of people who have visited takeaways. I've even had to remove take away contents from my car window screen in the morning and we regularly have wrappers dumped in our hedge and thrown into our garden (including Dixy Chicken), our puppy often finds small pieces of chicken bone when we take her out in the morning which are potentially dangerous if swallowed.

I understand this business also wants to deliver food in the early hours of the morning. Again, this is totally unacceptable, and it will undoubtedly disturb neighbours.

A quick look on trip advisor reviews reveals that this is a poor-quality establishment and it is quite obviously geared towards attracting indiscriminating drunk students on a night out, who in turn will increase the noise and litter nuisance in the area. As residents we have absolutely had enough and we need the council to stand firm and reject this application in full.

Yours sincerely,

[REDACTED]

New Premises Licence: 255581/BJ1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS

From: [REDACTED]

Sent: 08 March 2021 22:04

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

Subject: New Premises Licence: 255581/BJ1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS

Dear Sirs/Madam,

Re: New Premises Licence - 255581/BJ1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS

My family have lived in Fallowfield for over forty years and were never really aware of the processes to object to planning and licensing applications. As such we have had to live with extreme increases in the number of HMOs and students within the community, as a result of which the culture of late-night bars and takeaways has expanded and taken over our high street. Therefore, on behalf of my family and mainly my mother, we would like to strongly object to this application.

The main reason for our objection is that the application for extended hours, will only exacerbate such public nuisance issues below, that already exist in Fallowfield and haven't been resolved for years:

- Litter
- Noise
- Public safety

Litter has been an ongoing issue in the Fallowfield area for a very long time and remains a huge problem. I attach some pictures of Dixy boxes, which I saw strewn on the pavement, along with other litter which I took photos of on one of my weekend walks. It isn't just wrappers that are left on the streets, it's also chicken bones and food debris and it's horrible to see the streets I grew up on, disrespected so brazenly. Honestly, not what I would like to see when I'm out in my neighbourhood for my one walk a day in lockdown. There are already not enough bins in the area and the bins that there are, are always full and overflowing. Extending the opening hours to 3am, will cater for the late-night traffic of people. I can't believe this would be local families and residents! It would most likely be late night partygoers, mainly drunk students who won't be in the right state of mind to dispose of their fast-food containers responsibly. You can already see this in the pictures I have attached.

Noise and public safety are also compromised by these late-night partygoers. At that time in the morning, when most people are trying to sleep, people lingering in the streets to get their fast-food fix and just prolongs the amount of time residents have to endure street noise and disruption to sleep. Places being open until the early hours of the morning, will only encourage people to hang around on the streets. As they are also requesting to be able to do late night deliveries, this will also contribute to noise and public safety (including the drivers' safety).

We hope you take these reasons for our objection into serious consideration and that this application and future ones are rejected. We also hope that these comments are remembered when other applications for similar requests are proposed. Our community has suffered already so much and things need to change.

Yours sincerely,

[REDACTED]