

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	[REDACTED]
Contact Telephone Number	[REDACTED]

About the Premises

Application Reference No.	LPV256179
Name of the Premises	EI Diablo Tequila and Taco Bar
Address of the premises including postcode	Arch 1 & 12 Deansgate Locks, Whitworth Street, Manchester M1 5LH

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the 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 new premises licence in relation to the above premises on the ground of the Prevention of Public Nuisance.

The applicant seeks to allow the operation of their outside bar to be extended until 3am each day and the outside drinking area operation to be extended until the premises closes at 4:30am each day.

Since the premises have been closed due to the national lockdown a very large residential building has been opened next door to the premises and GMP are concerned that the noise created by the operation of these areas until such a late hour will cause an unacceptable level of disturbance to the residents of that building.

Unfortunately when customers have been consuming alcohol their voices and laughter tend to become louder than usual and even when the behaviour is jovial it would still be extremely difficult for staff to stop customers from being loud and causing a disturbance.

Therefore we would ask that this variation is refused.



Licensing & Out of Hours Compliance Team - Representation

Name	Margaret Lewis
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	256179
Name of Premises	El Diablo
Address	Arch 11 & 12, Deansgate Locks, Whitworth Street West, Manchester, M1 5LH

Representation

Licensing and out of hours (LOOH), have assessed the likely impact of granting the variation to the licence taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could undermine the licensing objectives Prevention of crime and disorder, Public Safety, The Prevention of public Nuisance and the Protection of Children from harm.

The applicant have applied to allow alcohol to be served from an outside bar till 3 am and for customers to remain outside to consume the alcohol until 4.30am when the premises closes.

They aim to achieve this by:

1. Removing condition 27 of Annex 2 to allow customers to consume alcohol in the external area until the premises closes at 4.30am every night of the week, Monday to Sunday.
2. Amending condition 5 of Annex 3 so that the external bar can be used until 3am.

LOOH have taken into account the changing make up of the area to now include a number of residential properties. One being directly next door to the premises housing approximately 172 residential properties, which have become occupied during the National Lockdown period, when the majority of the licenced premises on Deansgate Locks have remained closed as they operate similar to night clubs which have been not permitted to open for over 12 months.

The applicant, El diablo have a condition on their premises licence that allows the outside seated area to be used till 01:00 hours and last year made an application to vary their licence to include an outdoor portable bar, serving until 0:45, to which LOOH did not have an objection to due to the time requested. LOOH however now feel the hours applied for pertaining to the outside seating area and portable bar are excessive, requesting that the outside seating area now be in use every day of the week, Monday to Sunday till 4:30am. Residents would generally expect to get a good night's sleep without the threat of being disturbed from people noise or noise breakout during the early hours every day of the week, so they are fully rested for the working day ahead and would expect conditions attached to a licence to ensure this, and prevent public nuisance.



Removing these conditions would have a detrimental impact for those living next to the premises (picture above)

Local Factors

The statement of licensing policy looks at local factors **7.29** States that the Authority considers that later hours will typically be more sensitive and higher risk of causing problems. **7.31** Recognises that in spite of the quality the operation of the licensee, the lateness of the operation of the outside area for the premises will have the potential for disturbance. **7.32** States that the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential properties.

The area is rapidly expanding and incorporating more mix use business and residential buildings,

LOOH therefore ask that the application be refused.

Recommendation: Refuse Application

From: William Jeavons <[REDACTED]>
Sent: 31 March 2021 10:59
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: Joan Davies <[REDACTED]>; Marcus Johns [REDACTED]
Subject: Re: Premises Licence variation 256179/DS7: El Diablo Tequila and Taco Bar, Arch 11 & 12, Deansgate Locks, Whitworth Street West, Manchester, M1 5LH, (Deansgate ward)

Hello

I am writing to object to elements of this license applications changes:

3am bar use and sale of alcohol outdoors - this is unacceptable. Noise transfer is very prevalent in the area and there in an increased residential community immediately adjacent to the Deansgate Locks this needs factoring in to any permanent request for changes.

I therefore object to changes to Condition 5 / Annex 3 and Condition 27 / Annes 2.

Regards

William

Councillor William Jeavons
Labour Member - Deansgate Ward Manchester

Letters of support for Cllr Jeavons

From: Joan Davies <[REDACTED]>

Sent: 02 April 2021 19:31

Re: Premises Licence variation 256179/DS7: El Diablo Tequila

and Taco Bar, Arch 11 & 12, Deansgate Locks, Whitworth Street West, Manchester, M1 5LH, (Deansgate ward)

I wish to support the objection from Councillor Jeavons. Outside alcohol and service to 3am is not acceptable in the city centre, and certainly not at this location where there are a number of residential properties, and more under construction.

Noise transfer in the area is already a problem, and there is a level of anti-social behaviour that can be difficult to control.

Ideally I would like to see outside use closed by 23.00 hours, as is common in much of the city centre, but it appears that 1.00am has already been granted.

From: Marcus Johns <[REDACTED]>

Sent: 31 March 2021 12:45

Hi all

I support Cllr Jeavons' objection

Thanks

Marcus