

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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About the Premises

Application Reference No.	LPA 259544
Name of the Premises	Cabaret Tehran
Address of the premises including postcode	1 st Floor, 199-201 Wilmslow Road, Manchester M14 5AQ

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, Public Safety and the Protection of Children from Harm.

The operating schedule which accompanies the application offers nothing in terms of enforceable conditions. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.

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Licensing & Out of Hours Compliance Team - Representation

Name	Luke Solczak
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
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Premise Details

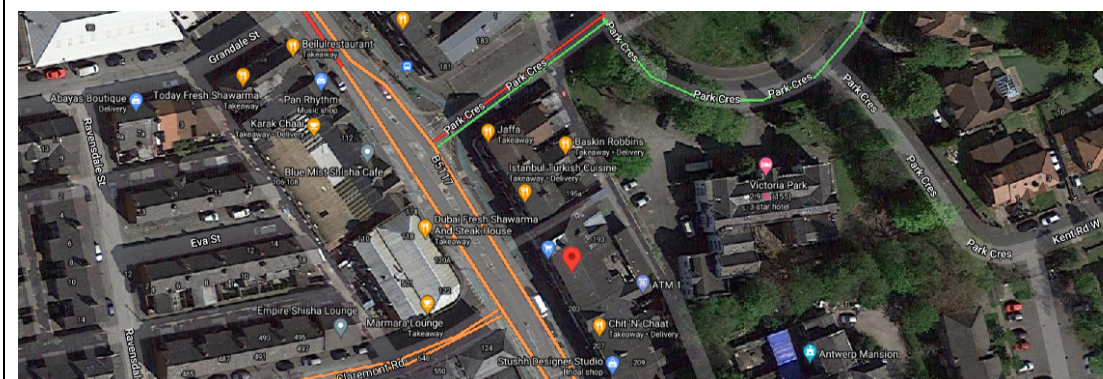
Application Ref No	259544
Name of Premises	Cabaret Tehran
Address	1st Floor, 199-201 Wilmslow Road, Manchester, M14 5AQ

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 Team have assessed the application and noted that the applicant has offered very limited and basic conditions. Due to the lack of detail the Licensing and Out of Hours Team feel that the applicant will not be able to manage a premises of this scale and demand effectively to promote the licensing objectives under the Licensing Act 2003.

The area consists of residential properties and flats which are located next to and directly behind the proposed business. (Please see below photograph). The provision of regulated entertainment of live and recorded music may potentially pose a public nuisance. The business has requested to play live and recorded music until 0400hrs Monday to Sunday. There is no mention in the operating schedule of the application of registered door staff or how they will manage dispersal when the premises closes. This amount of people exiting the establishment at 0400hrs especially on weekday mornings will pose a statutory nuisance for residents in the surrounding area.





In addition, Wilmslow Road is saturated with takeaways and restaurants. Due to this the area is subject to heavy traffic and offers limited parking. As a result, visitors to the area park on nearby residential streets. Premises of this scale and operating until 04:00am are likely to causing noise nuisance from raised voices and vehicle noise in residential areas.

The area suffers from high crime, rough sleepers, street drinking and anti-social behaviour. The operating schedule fails to mention what training staff will undergo and how the premise will address any potential issues.

Manchester City Council and partner agencies such as Greater Manchester Police have prioritised the regulation and enforcement of the Health Act 2006 for the offence of failing to prevent smoking in a smoke free place. The Rusholme area of Manchester specifically Wilmslow Road consists of numerous Shisha Cafes that are committing offences under this act. Often these types of business raise other concerns such as modern day slavery, illicit tobacco and immigration concerns.

The proposed business has advised that breaches in the Health Act 2006 will not be committed and that the business will operate only as a traditional restaurant. Recent visits to the area have identified new signage that suggests the premise will operate as a shisha café increasing the demand on Manchester City Council and partner agencies. Licensing and Out of Hours feel the premise is therefore likely to commit offences under the Health Act 2006 and subsequently raises concerns of issues typically found within these types of premise.

The use of shisha pipes also poses a fire risk due to the hot coals being used in the smoking process. The building is a mid-terrace and is surrounded by multiple businesses and residential properties.



As a result of this assessment Licensing and Out of Hours have concerns that the grant of this application is likely to lead to issues of crime and disorder, public safety, public nuisance and protection of children from harm. These concerns are also specifically that the grant of this license is likely to lead to public nuisance in the way of noise issues from the premises to local residents in nearby domestic dwellings from customers arriving in vehicles and customers entering and leaving the premises late at night. There are domestic dwellings/apartments surrounding the premises. We have further concerns that under the public safety element of the licensing objectives there is potentially a high risk of fire if the business operated as a Shisha Café.

Our view is that the application is a way of allowing the applicant permission to open late at night which would allow it to operate as a Shisha café. The Licensing and Out of hours team feel that Manchester City Council should not be supporting and promoting business that are likely to commit offences and place additional pressure on council resources.

The applicant offers no evidence in the operating schedule to show how he will promote the four licensing objectives within Section M of the application,

specifically the Prevention of Public Nuisance, Public Safety and protection of children from harm, as noted above.

We therefore recommend that the application is refused in order to prevent the problems described above.

Recommendation: Refuse Application