



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

Name	Sion Roberts
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Department	Licensing and Out of Hours Compliance Team
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**Premise Details**

Application Ref No	REF 266802
Name of Premises	Fireway
Address	266 Wilmslow Road, Manchester, M14 6JR

**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 grant 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.

A summary of the application provided by the applicant is as follows.

**Italian Restaurant and Take-away.**

**Proposed hours and licensable activities:**

Provision of late-night refreshment:(Delivery Only)  
Sun to Thurs 23:00 to 00.30, Fri and Sat 23:00 to 01.30

The already trading premises location is a ground floor low rise detached plot, 1 of 4 units, 2 other licensed dine in takeaway and a vintage store/café, with frontage on the busy main Wilmslow Road. Residential properties exist to the rear on Boland road and left-hand side as facing the premises all within 20-30 metres. The premises is located within the boundary of the Fallowfield/Wilmslow Road Special Policy Area.

Whilst LOOH appreciates that the applicant is requesting delivery only late-night refreshment, with no access to general public after 23:00, the hours applied for, still have the potential to create noise nuisance. Especially to those residents in the immediate vicinity/rear on Boland Drive.

LOOH feels this would be the case as the highway directly to the front of the premises has parking restrictions and is also part dedicated cycleway, as

such there are no suitable pickup points at this location. The expected alternative is the car park to the rear accessed off the residential street Boland Drive.

LOOH feel this would undoubtedly create noise from vehicles arriving and leaving Boland Drive to access the rear car park. With additional noise from car doors slamming from collection drivers. Noise that the nearby local residential population would not be expecting at these times, especially as the other licensed premises in this location specifically would have closed by 00:00 Sunday to Thursday and 00:30 Friday and Saturday.

LOOH also has some concerns regarding the operation in general with regards to adhering to times of closing applied for. A recent out of hours routine pre representation visit to the premises on the 10<sup>th</sup> December 2021 at 23:15, officers noted two customers were still inside eating pizza and staff were preparing pizza and several pizzas were cooking in the rotating pizza. Officers advised staff against serving of hot food after 23:00 until their application has been decided by Manchester City Council.

These concerns are further compounded by discrepancies with some of the existing online delivery platforms associated with the premises, for example screen shot shown below from Just Eat; and Google map search premises own entry;

17:34 Thu 16 Dec just-eat.co.uk 100%

266 Wilmslow Road, Manchester, M14 6JR

**A little bit about us**

Do you fancy pizza? (some of us would choose it every day if we could). For a tasty base and some great toppings, go to Fireaway Designer Pizza -Fallowfield Manchester and your wish is their pizza command. No washing up and delivery right to your door - what's not to love? After you have eaten, we'd love to get your feedback on our food and service at [www.just-eat.co.uk](http://www.just-eat.co.uk)

**Opening times**

	Delivery	Collection
Monday		16:00 – 23:45
Tuesday		16:00 – 23:45
Wednesday		16:00 – 23:45
<b>Thursday</b>		<b>16:00 – 23:45</b>
Friday		16:00 – 01:45
Saturday		15:00 – 01:45
Sunday		15:00 – 23:45

Go to checkout

Delivery 20-35 mins Collection 15 mins





Feedback

18:39 Thu 16 Dec 99%

Fireaway Designer Pizza - Fallowfield, Manchester

4.9 ★★★★★ (35) · Pizza restaurant · 🚗 25 min  
 Open · Closes 00:00

Directions Start Call Save Chat Share

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✓ Dine-in · ✓ Curbside pickup · ✓ No-contact delivery

📍 266 Wilmslow Rd, Fallowfield, Manchester M14 6JR

🕒 Open now ^

Thursday	16:00–Midnight
Friday	16:00–02:00
Saturday	15:00–02:00
Sunday	15:00–Midnight
Monday	16:00–Midnight
Tuesday	16:00–Midnight
Wednesday	16:00–Midnight

[Suggest an edit](#)

🍴 Menu · [fireaway.co.uk](http://fireaway.co.uk)

🚚 Place an order

The hours applied for do not reflect current existing online platforms, as such appears to show some confusion on behalf of the premises/operator as to when the collections of hot food should cease.

***Within Manchester City Councils licensing Policy: subsection 5.7 it states the effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.***

Taking into consideration of the policy guidance above and the application, the applicant has failed to provide enough detail in their application/operating schedule as to why it will not add to the cumulative impact already being experienced in this area in the relation to noise.

As such LOOHT recommends that the application, in its current format, is refused on the grounds of not upholding of the licensing objectives in relation to prevention of public nuisance.

**Recommendation: Refuse Application**

RES1

**From:** Fallowfield Community Guardians <[REDACTED]>  
**Sent:** 16 December 2021 13:30  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** Alex Hill <alex.hill@manchester.gov.uk>; Fraser Swift <fraser.swift@manchester.gov.uk>; alan.isherwood <alan.isherwood@gmp.police.uk>  
**Subject:** Premises Licence (new) 266802/PW5: Fireway, 266 Wilmslow Road, Manchester, M14 6JR, (Fallowfield ward)

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians and we wish to object to this application for a new license. We appreciate that the applicant does not propose opening after 11pm. However we are concerned that the later hours requested for delivery will cause noise and nuisance particularly for residents in the very near vicinity on the Sherwood Housing Estate which is directly to the rear. There are also many other residential flats nearby including 35 adjacent flats within Sherwood House. We feel that the arrival and departure of delivery vehicles until the early hours will add to **public nuisance** in a Cumulative Impact Policy area. We feel there are no measures that can be applied that will cause this to be a special deviation from the policy.

In addition, 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.

We hope that you will uphold the CIP and refuse this late night application for delivery of yet more take away food. There is already an overabundance of take-aways in this area and another late night licence will add to the noise, nuisance and litter already experienced, thus undermining the licensing objectives for public nuisance.

Yours

[REDACTED]  
Community Guardian Coordinator

RES2

**From:** SEFRG <[REDACTED]>

**Sent:** 16 December 2021 16:20

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

**Subject:** New Premises Licence. 266882/PW5 Fireway, 266 Wilmslow Road, M14 6JR

Dear Sir/Madam,

I am writing on behalf of South East Fallowfield Residents group to object to the above application. These premises fall within the CIP which creates a presumption that no new (or varied) licence applications should be granted unless it can be shown that they will not add to the cumulative effect of such licences. Late night deliveries lead to an (unnecessary) increase in traffic on residential streets in the middle of the night and this is a particular problem in our area where there are so many students living in houses of multiple occupation and the demand for takeaways in the middle of the night is so high.

Residents in our group often mention being woken up by doors slamming, car/bike revs and door knocking (HMOs often don't have working doorbells and the occupants frequently have music playing at the back of the house or in the garden and don't hear an ordinary door knock), in addition the delivery drivers sometimes get the wrong address and wake neighbours up.

Allowing this licence in whatever form would undoubtedly add to the problems in our area. I understand the council recognise the importance of a decent night's sleep and such a licence would certainly undermine this.

We would like to point out that we are not anti business but rather pro responsible business, there are plenty of day and evening hours in a week for businesses like this to operate without sacrificing the sleep of the local residential community.

Yours faithfully,

[REDACTED]

On behalf of SEFRG

RES3

**From:** Sherwood TRA <[REDACTED]>  
**Sent:** 16 December 2021 17:25  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** Zahra Alijah <cllr.zahra.aliyah@manchester.gov.uk>; Ali Ilyas <cllr.ali.ilyas@manchester.gov.uk>; Jade Doswell <cllr.jade.doswell@manchester.gov.uk>  
**Subject:** Fwd: Premises Licence (new) 266802/PW5: Fireway, 266 Wilmslow Road, Manchester, M14 6JR, (Fallowfield ward)

Dear Sir/Madam

I write on behalf of the residents of the Sherwood Estate which lies to the rear of the above premises to object to this application. We are a social housing estate consisting of family homes and flats with ages ranging from the very young through to the elderly. Many residents work shifts some days leaving for work as early as 3/4/5/6am and so can well do without extra disturbances in the early hours.

We are disappointed to read that these premises wish to extend their hours so soon after opening their business close to our homes. We were pleased to read that they would be closing at 11pm when they began first trading although trading hours appearing on 'Bing' show trading hours up until 1am on Fri/Sat nights.

We already suffer with disturbances from transient street noise as students both move between Wilmslow Road bars and then pass by our homes as they walk back to their term time addresses shouting/shrieking as if in the middle of the day rather than the early hours and also by the increase in traffic traveling along Sherwood St and Boland Drive both servicing the home delivery night business model and from staff & patrons using our estate for parking when visiting or working in Fallowfield District Centre.

With the rise of home deliveries residents are regularly woken by drivers coming to the wrong address. So for another unit trading later into the night bringing more maneuvering vehicles with sound of engine gear changes and braking, car doors opening/closing close to our bedrooms and particularly children's bedrooms on Boland Drive is undesirable. (Attached is a pdf showing how close these premises are to our homes)

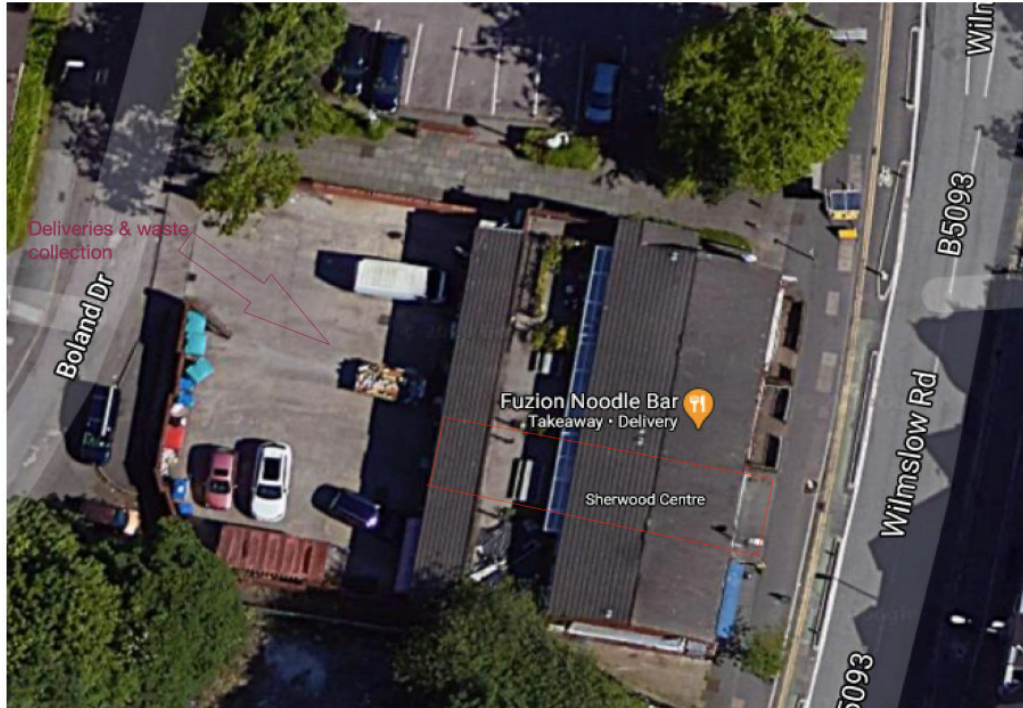
The Applicant describes their food offer as above usual takeaway prices and as a sit down meal type of food, we question who would want to have such a meal after midnight?

Finally, due to this part of Fallowfield being covered by a Cumulative Impact Policy we can not think of any mitigation from these premises to not add to the cumulative effect of trading into the early hours and therefore, respectfully ask for this application to be refused.

Yours faithfully

[REDACTED]

Chair  
 Sherwood TRA



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