

Email from applicant's representative sent to each resident objector, proposing conditions to be added. The email refers to the withdrawn representations from LOOH and GMP - these have been made available to the Panel.

From: [REDACTED]
Sent: 18 November 2021 13:03
To: [REDACTED]

Subject: Five Guys, 17 Piccadilly, Manchester - New Premises Licence - Objection [REDACTED]

Dear [REDACTED]

I hope you do not mind me contacting you via email, but I am in receipt of your objection to the application we have made for a new premises licence for the above restaurant. The Licensing Officer dealing with the application has asked that I contact you directly to discuss the application and your concerns to see if an agreement can be reached.

I am not sure if you have had site of the application, or are aware of the agreements reached with the authorities, but the following conditions will be added to our premises licence should it be granted:-

- *The premises will operate a "Challenge 25" proof of age scheme whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to that person. Challenge 25 signage shall be displayed within the premises.*
- *The sale of alcohol shall only to be persons purchasing a meal.*
- *Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimise noise and when smoking and/or leaving.*
- *Disposal of waste bottles into external receptacles shall not take place between the hours of 22:00 and 07:00.*
- *All sales of alcohol for consumption off the premises shall be in sealed containers and with a takeaway meal only and shall not be consumed on the premises.*
- *The need for door staff will be risk assessed by the Designated Premises Supervisor/Premises Licence Holder and employed when deemed necessary.*
- *The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.*
- *A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.*
- *Staff shall be provided with comprehensive training in underage sales; recognising signs of drunkenness; how to refuse service; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol.*
- *Staff training will include the Challenge 25 policy and its operation. Staff will be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.*
- *All training will be given to a new member of staff before they commence paid employment.*
- *Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council*

- *An incident log (which may be electronically recorded) shall be kept at the premises and made available on request to the police or an authorised officer of the licensing authority. Information input into this log shall be held for a minimum of 6 months. This incident log will record the following incidents including pertinent details:*
 - *(a) all crimes reported to the venue, or by the venue to the police*
 - *(b) all ejections of patrons*
 - *(c) any complaints received*
 - *(d) any incidents of disorder*
 - *(e) any faults in the CCTV system*
 - *(f) any visit by a relevant authority or emergency service*
- *A refusals register shall be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. Refusal records shall be kept for a minimum of 6 months.*
- ***Any food or drink sold between the hours of 00:00 and 05:00 shall be for delivery or collection only by a verified delivery service company.***
- *The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public*
- *No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.*
- *There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.*

To be clear, if the premises licence is granted, it will only permit:-

- The supply of alcohol between the hours of 11:00 and Midnight; and
- The premises will only be open to members of the public between the hours of 08:00 and Midnight.

Any sales of food and drink after Midnight will not be to customers entering the premises, but will be for delivery or collection only by a verified delivery company as highlighted in bold in the conditions above. The application has been discussed with Greater Manchester Police and with that additional condition agreed they have no objection to our application or proposal and are satisfied that the premises will not add to the issues of Crime and Disorder in the area.

The application has also been discussed with the Licensing Out of Hours Team and they have assessed the likely impact of the premises. Manchester City Council's Licensing Policy has been considered by them and specifically S7.25 in relation to the proximity of the premises to local residents and other local businesses, particularly in relation to nuisance, which appears to be your main concern.

They suggested we make some of the conditions in our application more robust in relation to CCTV, Staff Training, Incident Log and Refusals register which we agreed and are included above. They also proposed some additional conditions to deal with potential noise and nuisance which have also been agreed and have been highlighted in green above.

They are now satisfied that the premises will not undermine the licensing objectives, which include the Prevention of Public Nuisance and have no objection to our application.

Five Guys are a high end, responsible operator with approximately 1700 sites worldwide and, in dealing with their 118 sites in England and Wales, we have dealt with no issues surrounding noise complaints from neighbours or any other issues that their premises have caused.

The client appreciates your concerns and are hopefully that the above measures will address these. If you are satisfied now, but you have concerns in the future when the premises are open and trading, then you could either contact us in the first instance or discuss these with the manager of the restaurant who would be more than willing to work with you to address these.

I hope that the detailed email above addresses your concerns and you are minded to withdraw your objection to our application. If you are then I would be grateful if you could confirm this by return email to both myself and the local authority (copied to this email). However, if this is not the case and you do wish to discuss this further, then please do not hesitate to contact me on the details provided on the footer of my email (either by return email or telephone).

I look forward to hearing from you once you have had the opportunity to consider the contents of my email.