

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPV 270038
Name of the Premises	Greek Grill House
Address of the premises including postcode	Great Northern Square, 235 Deansgate, Manchester M3 4EN

Your Representation

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

The location where the van is situated is one which unfortunately suffers from anti-social behaviour and generates complaints of noise from the residents who live in the premises close by.

The premises currently operates until 2am, which is well before the nearby bars close and as such it doesn't encourage people to remain in the location after the bars close.

If this application was granted it would likely result in large numbers of people queuing and gathering in Great Northern Square until 5.30 – 6.00 am which would almost certainly create an unacceptable noise disturbance to the nearby residents.

The applicant has asked to remove the condition to have door staff until 2am and then in the steps to promote the licensing objectives they refer to having door staff so this is very ambiguous, but even if they have security until their proposed time of 5am, the security would only have influence over the customers directly outside the van and those customers that choose to walk away from the van to eat their food in Great Northern Square would not be under their control.

The time applied for is also later than other take aways in the nearby area, which have a closing time of 4am. Crucially these other take aways are not situated inside Great Northern Square and they are also actual buildings so noise breakout is contained by the walls and roof.

GMP believe that if this application was granted it would cause such a level of disturbance to local residents that the number of complaints received would increase dramatically and would undermine the licensing objectives.

Manchester City Council's licensing policy states:

7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.

7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:

- Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise
- Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy)
- Prevention of disturbance by people outside the premises (eg. smoking areas)
- Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)
- Disturbance caused by deliveries associated with licensable activities, including waste collection.

7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

7.32 Therefore, where its discretion is engaged, 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 property.

7.34 Where noise nuisances can be clearly identified as arising from the activities of customers of a specific licensed premises, or there is risk identified upon application of such nuisance occurring, where its discretion is engaged, the licensing authority may reduce the trading hours of licensed premises on the grounds of their noise impact if it is determined that the licensing objectives will be undermined. Where objections are made to the lateness of the terminal hour, it would be appropriate for an applicant to engage with local residents and other parties to try to address the issues raised. The licensing authority would strongly encourage applicants to engage proactively prior to the making of an application and as appropriate when an application is pending.

7.35 Where its discretion is engaged, the licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours, and each application will be considered on its individual merits.

We therefore ask that this application is refused.

Licensing & Out of Hours Compliance Team - Representation	
Name	Niall Johnson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	niall.johnson@manchester.gov.uk
Tel:	0161 234 1220

Premise Details	
Application Ref No	REF 270038
Name of Premises	Greek Grill House
Address	Great Northern Square, 235 Deansgate, Manchester, M3 4EN

Representation
<p>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.</p> <p>This is notification that the Licensing and Out-of-Hours team (LOOH) have assessed the application and the likely impact the granting of the licence would have on the local amenity. We have taken into account the nature of the area, surrounding licensed premises and local residential premises.</p> <p>Having given consideration to Manchester City Council's Statement of Licensing Policy and how the applicant will promote all 4 of the Licensing Objectives we are confident that the application should be refused.</p> <p>The granting of the licence would undermine the Licensing Objectives, particularly the Prevention of Public Nuisance and Prevention of Crime and disorder.</p> <p>The premises currently operated until 02:00hrs and ceases trading prior to the mass dispersal of several large licensed premises in the immediate vicinity, such as Impossible, The Albert Hall, 42's, China White, History and Revolution De' Cuba.</p> <p>After 3am, the Deansgate and Peter Street junction already poses serious risks to the general public from heavily congested roads and double-parked</p>

vehicles. The area has ongoing incidents of crime and disorder and violence associated with the night-time economy and Manchester Council consistently receive noise complaints from local residents about the general noise in the area from licensed premises, members of the public, vehicles and buskers.

The primary aim of Manchester City Council and Greater Manchester Police in this location post-3:00am is the speedy, quiet and incident free dispersal of members of the public from the bars and clubs, out of the city centre. If this premises licence variation is permitted, the operator will provide a destination food premises to already intoxicated people to order food, eat the food on the street and congregate in an area this is already the subject of ongoing noise complaints. The approval of this variation will also result in an additional source of vehicular congestion on Peter Street and Deansgate for taxis stopping. The area is also increasingly problematic for buskers throughout the night that will further be extended into the night with the approval of this variation.

The operator is an open air trader on the publicly accessible forecourt of the Great Northern Warehouse and a single security personnel would unlikely be capable of crowd management, noise control, staff safety and vehicle management after 3am when the area becomes exceptionally busy, resulting in GMP becoming liable for the management of the premises customers and a loss of control of the vendor and his premises, resulting in the licensing objectives being undermined.

An unannounced visit took place to the site at approx. 01:20hrs on Friday 25th February to ensure current licensing compliance. Serious issues were witnessed as the operator was using security personnel that were already working and signed in for another premises (Great Northern Warehouse). It was later confirmed by the operator of Great Northern Warehouse that the security was working for them, and not Greek Grill; therefore breaching licence 263482 Annex 2 Condition 2 and Annex 3 Condition 2. If an incident of crime and disorder, or public nuisance had occurred at this time, there

would not have been the security provisions in place to safely and effectively deal with the incident.

This is a clear undermining of the licensing objectives.

Licensing Out-of-Hours recommends the refusal of this application.

Recommendation:	Refuse Application
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