

Resident 1

From: [REDACTED]

Sent: 05 April 2022 17:40

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

Subject: Premises Licence variation 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD, (Fallowfield ward)

Hi,

I am writing to object to an alcohol license to the premises in Fallowfield.

I don't see any good coming from this and only more problems re litter and noise.

I believe the cumulative policy needs to be upheld for the good of the area.

Regards

[REDACTED]

Resident 2

From: [REDACTED]
Sent: 05 April 2022 17:12
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Turkiss alcohol licence Reference: 272724/AM2

Dear Sir

I wish to object to the above licence application.

My principal objection is that our area already had far too many places selling alcohol in the night time and every new one adds to the disturbance in the street and antisocial behaviour. I think a delivery only alcohol service operating at these times will further contribute to local alcohol consumption. Ideal for all night parties that run out of drink in our area . As a [REDACTED] [REDACTED] [REDACTED] we are often disturbed by late night-early morning passers-by who are noisy and disrespectful of the neighbourhood. Such development of alcohol sales is likely lead to further disruption in the street environment and to our right for a peaceful existence.

Yours sincerely

[REDACTED]

Resident 3

From: [REDACTED]

Sent: 05 April 2022 16:33

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

Subject: Turkiss Shawarma 272724/AM2 244 Wilmslow Road M14 6LD

I write to object to the request to sell alcohol from these premises.

The outlet falls clearly within the Cumulative Impact Policy area.

Virtual all-day sale of alcohol would add to the already large amount of litter in the area, which even reaches my neighbourhood

[REDACTED] I pick up every day large amounts of beer cans and associated food cartons, plus mini gas cylinders, all dumped by people coming from nearby Fallowfield.

I feel the area already has more than enough such outlets, and to allow another would only add to the unpleasantness.

[REDACTED]

Resident 4

From: [REDACTED]

Sent: 14 April 2022 20:50

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

Subject: Community Concerns about fallowfield.

Hi there,

Today i am here to talk about my concerns about a Licensing application Applied for
Turkiss

244B

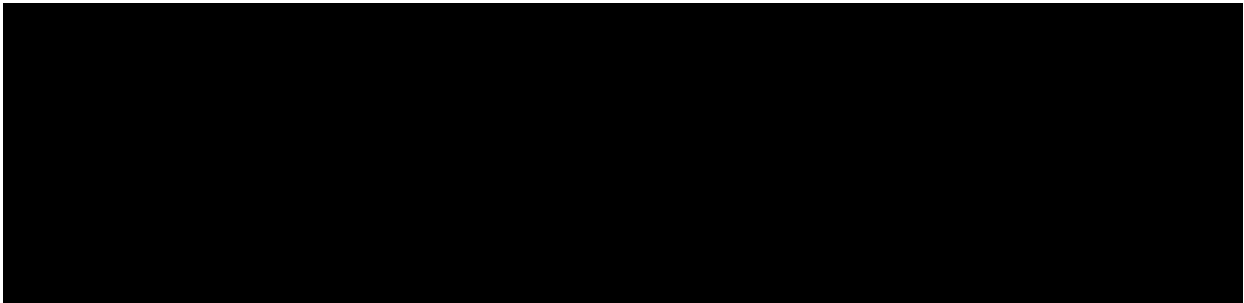
Wilmslow Road

M14 6LD

They have applied for opening hours Extension with Alcohol to be added. As far i am aware this place always been open till 5AM in the morning and been breaching license before. 2ndly the amount of rubbish they through in council bin is unbelievable. if you need to confirm this just come and witness yourself on Furness Road (OFF WIMLSLOW ROAD).

As a business they should have their own rubbish bins. This place always been open later then 5. we do have Council cameras you can confirm through there.

In My opinion their License should be ceased.



Every Business should have been checked .

I hope it will help to reduce noise and keep my community safe.

Regards

[REDACTED]

Resident 5

From: [REDACTED]

Sent: 21 April 2022 10:10

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

Cc: [REDACTED]

Subject: Premises Licence variation 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD, (Fallowfield ward)

Your Ref: Premises Licence variation 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD, (Fallowfield ward)

To whom it may concern;

I am a long-term resident of [REDACTED] and I am objecting to the request for a license for Off premises alcohol sales from 4pm to 5am Mon-Sun and the extension of Late-night refreshment hours from Mon to Sat 11pm to 3am, to Mon to Sun 11pm to 5am; at the site location: 244 Wilmslow Road, Manchester, M14 6LD.

These premises (244 Wilmslow Road, Manchester, M14 6LD that is) are situated on Wilmslow Road, Fallowfield, which is one of the main arterial routes into and out of Manchester City centre.

It is in very close proximity to [REDACTED] and local residential properties and is also in an area where there are several bars, public houses & off licenses and one of the largest student populations in Europe.

The Wilmslow Road area of Fallowfield has a Cumulative Impact Policy (What this means is that this area has been identified as one in which there is a concentration of licensed premises which is deemed maximum for an area to contain and that the hours in which premises can open and supply alcohol are already at the earliest and latest times acceptable for the area) this application, is only going to add to problems of drunken street noise and nuisance.

The request for off premises alcohol sales from 4pm to 5am Mon-Sun, quite frankly, beggars belief. This would mean that the premises would be open later and selling alcohol later than nearly all other licensed premises in the area and certainly later than all the other off licenses.

The extension of "Late-night refreshment hours" from Mon to Sat 11pm to 3am, to Mon to Sun 11pm to 5am is also totally unacceptable.

The "Fallowfield Brow area" (an area encompassing a canopy of 7 x streets. 5 x streets moving South to North & 2 x streets East to West of which "*Turkiss Shawarma*" rests in the middle of it on Wilmslow Road) is already a party/club fested, drunken drugged up conurbation, that's really fit for no human life or existence, becoming one giant noise fest; people to and fro, taxis to and fro, shouting, screeching, hollering, yelling, "music" pumping out ad finitum, from early evening until 6am in the morning.

Turkiss Shawarma Off premises alcohol sales from 4pm to 5am Mon-Sun and an extension of "Late-night refreshment hours" from Mon to Sat 11pm to 3am, to Mon to Sun 11pm to 5am, is only going to further embellish the abhorrent sounds and pictures to this forlorn landscape and causing further suffering to the local residents.

In addition, [REDACTED], it has been "hit/vandalised" 8 x times. Here's one of those incidents and most pertinent to this application; a cctv still of a pair of drunken students smashing into the nearside door, causing two huge dents in



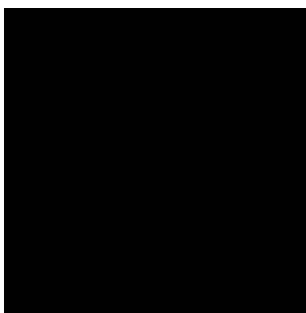
it (from 08-12-19 @ 05:39am)

Personally? I am at the very end of my tether in this Fallowfield Brow area; suffering from extreme sleep deprivation, being awoken in the small hours from the transient noise (much of it, created by patrons of drinking emporiums and off licences that provide the liquor) pervading the streets here.

This application needs to be rubber stamped with a large "No", and filed away in a mausoleum.

I would be very grateful if you could consider these points,

Yours sincerely,



Councillor 1

From: [REDACTED]

Sent: 20 April 2022 22:37

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

Cc: [REDACTED]

Subject: Premises Licence variation 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD, (Fallowfield ward)

Good Evening,

I am writing to express my objections to the above application for a licence variation.

Fallowfield has a high concentration of late-night establishments, and the local resident groups, BMBB, Fallowfield Community Guardians and Sherwood TRA, regularly relay the negative consequences of this to us.

This includes parents navigating broken glass from alcohol consumption on the morning school run, extreme amounts of litter, poor street sanitation including rodents, and 24 hour noise. I cannot stress enough how much these issues take their toll on our residents, however minor they may appear in writing. Living with daily mess, rats, parties, shouting, laughing, car doors banging and engines revving all week is a significant blight on their quality of life.

The noise is generated by people using bars and takeaways along Wilmslow Road into the early hours, in addition to the noise generated by the car/motorbike noises of delivery drivers to predominantly student houses in the vicinity of Wilmslow Road.

The proposed new opening hours will encourage noise at an unreasonable time by people congregating outside a takeaway, either waiting for their friends, or waiting for a taxi. It will also increase the amount of discarded wrappers/food debris that people have to wake up to on Wilmslow Road.

Although I appreciate that the Applicant has requested a licence to provide alcohol off the premises and for delivery only, this does not negate the above issues. Easier access to delivery of alcohol in the early hours of the morning will fuel the house parties that take place which disturb residents of the Brow on a daily basis. The problems in the area are cumulative in nature, and not just limited to alcohol consumption.

Evidence of the cumulative impact of a high concentration of licenced premises along Wilmslow Road supported the continuation of the Special Policy for 2021-2016.

Although the Applicant has listed some measures to address the licensing objectives, I do not believe these are sufficient to demonstrate that they will not add to the cumulative impact of problems in the area. They are measures that any responsible business, open at any time of the day, should adopt as standard. I have particular concern with the proposal to clean/sweep the area outside the premises; whilst this is undoubtedly well-meaning, there is nothing to give residents a cast-iron guarantee that this will take place.

The scale of the litter problem means that for any street cleaning condition to be effective it would have to take place daily. This is unlikely, in practice, to take place, and is an onerous and impractical condition to legally impose.

Whilst we recognise the value of having a thriving night-time economy in Fallowfield, this should not cause a detriment to the sleep, environment, and health of people who choose to call this part of Fallowfield their home.

I would strongly urge the licensing panel to reject this application.

Kind Regards

1500

Labour Member for Fallowfield Ward

South East Fallowfield Residents' Group

Premises Licence 272724/AM2 Turkiss Shawarma, 244 Wilmslow Road, M14 6LD

[REDACTED]

Fri 22/04/2022 22:59

To:

- Premises Licensing <Premises.Licensing@manchester.gov.uk>

Dear Sir/Madam,

Premises Licence Variation; 272724/AM2 Turkiss Shawarma, M14 6LD

I am writing on behalf of South East Fallowfield Residents' Group to object in the strongest terms to this licence application - both the extended hot food hours and, of course, the delivery sales of alcohol.

At every residents' meeting I have [REDACTED] (or attended as a resident) the problems of noise, litter and general ASB have been raised and much of this is associated with the sheer number of licensed premises on this stretch of Wilmslow Road - within half a mile, there are c40 licensed premises and I am quite sure that this is more than many city centres have in such a small area, let alone a residential suburb. In 2013, MCC designated Fallowfield District Centre because it was deemed (based on evidence gathered) that the sheer number of licensed premises was having a negative effect on the area and the quality of life of the people who live here. The CIP is in place to protect local people and states that no new licences, or licence variations, should be granted if they might add to the impact, unless there are 'exceptional reasons' for departing from the policy.

The premises are situated right in the heart of the most densely populated student area in the country and we are sure that these (already) excessively late opening hours are an attempt to (primarily) target this transient market who do not have a vested interest in the area. There are approximately 11000 students and they now form 56% of the population in the M14 6 postcode (<https://wonkhe.com/blogs/the-start-of-term-is-not-just-a-problem-for-universities/>). From our own experience, as local residents, we know that many (but not all) students who live in Fallowfield do not keep regular hours, have frequent, noisy, parties and fail to manage their waste disposal properly. Perhaps this would not be seen as a problem if everyone in the area lived in a similar way and was relaxed about this but this is definitely **not** the case and, as a result, MCC have to deal the resulting issues in terms of increased litter collections, an increased demand placed on the Out of Hours service and general policing. We do not think it is right, or fair, for Manchester residents to endure these increased costs via their council tax payments for something which is

so avoidable, especially when there are so many demands on very limited public resources.

Allowing even longer opening hours for this takeaway business, especially in the early hours, would inevitably result in more litter (and more noise) on the surrounding streets i.e. public nuisance. People buying takeaways at this time of night are often part of large groups who have come from the pubs/clubs/house parties, or are between the various venues, and they are not fastidious when it comes to litter disposal. We regularly wake up to takeaway litter strewn across the streets and dumped in our hedges and front gardens and litter picking is a very regular 'leisure' pursuit for us. Aside from cardboard and packaging, the litter often consists of drinks cans and glass. (I am sending a video montage of behaviour on our streets at night so that you can get an indication of what we experience and in the clip you can clearly hear a bottle being smashed. I cannot attach the video to this email so I am sending it separately but ask that it is considered part of this objection). Litter is depressing to witness but it is also potentially harmful to small children and pets and I worry that children growing up around here will 'normalise' this type of behaviour. We need to change this culture and enforcing the CIP is one of the ways that MCC can help us and ensure that local residents can enjoy a better quality of life... and more sleep. Many people are trying to do what they can to make our environment more beautiful, for example, a group of local residents have planted up some tree bases with beautiful flowers all year round and have achieved a gold award from the RHS for the last 4/5 years so there is hope here and a community which is trying to flourish but we also desperately need policies like the CIP to be upheld if we are to bring about a fundamental change.

We note that besides applying for longer opening hours, the applicant would like to sell alcohol (until 5am!) via deliveries. These alcohol deliveries will, without doubt, fuel late night gatherings and increase the general noise and litter levels in the area. Late night deliveries themselves create additional disturbance for local residents because of the noise from the vehicles, doors slamming (cars and front doors) and the fact that sometimes the drivers get the wrong house. Having attended previous licensing hearings, I am used to applicant's saying that the drivers are always very quiet and never get the wrong address but, as people who live in the neighbourhood, we know this is not the case. I am sending another email with a recent video of a delivery driver trying to make a delivery to an incorrect address. Again I cannot attach it to this email but would like it considered as part of this objection.

In conclusion we fail to understand how any licence variation at these premises (extended takeaway hours or the addition of alcohol) would not cause additional harm, there are no conditions which could mitigate the harm and there are no exceptional circumstances for departing from the policy, we therefore ask the licensing panel to reject this application in full and uphold the Cumulative Impact Policy.

Premises Licence variation 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD, (Fallowfield ward)

Fallowfield Community Guardians [REDACTED] >

Fri 22/04/2022 15:37

To:

- Premises Licensing <Premises.Licensing@manchester.gov.uk>

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians as agreed at our meeting on April 6th 2022. We wish to object to this application for a variation of licence. We are particularly concerned about the requested sale of alcohol for off sales and the late night hours involved. We consider the current hours of opening too late so an extension of hours until 5am is considered totally inappropriate and undesirable for our neighbourhood. We feel alcohol sales of any kind will undoubtedly 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.

There does not appear to be any reference to actual delivery of alcohol in the conditions given with this application despite this being the main intended proposed variation. The conditions read more in line with alcohol sales from an off licence and they do not seem to relate to delivery. This makes us wonder whether the intention is to sell from the premises to customers who might want alcohol with their take away when purchasing from the counter. We have noticed more delivery vehicles in the area at all times of day and night and do not wish to see an increase in this night disturbance noise. Delivery vehicles sometimes deliver to the wrong address and we have residents in our group who have been woken in the early hours by drivers knocking on their door or ringing their bell. It causes distress and sleep disturbance.

We consider that the cumulative impact of another venue selling alcohol even for delivery only will add problems to the area. It is well researched and documented that increasing the number of outlets for alcohol has an impact on local communities. The effects of alcohol consumption generating noise, litter and anti-social behaviour led to the CIP being established in 2013. It was recently renewed because issues of anti social behaviour are significant in this CIP area. Late night socialising and house parties are still disturbing residents of all ages. Increasing the delivery of alcohol at anti social times of the night is likely to add to public nuisance. In normal residential areas, there would be no demand for alcohol at such late hours. Our suburb has gained a reputation for late night partying because of the thousands of University students concentrated here. This reputation needs to be quashed and the CIP is one aid to help this. Adding another late night alcohol off sales premises

in Fallowfield will add to existing problems especially relating to public nuisance.

There are thousands of students living in Owen's Park Halls of Residence in Fallowfield and hundreds more in HMOs in our residential streets. There are over 11 000 students in the M14 6 subpostcode. The consumption of food with alcohol often results in very high levels of noise, antisocial behaviour and litter in this area because of the demography being very highly skewed. Residents in our group regularly suffer sleep deprivation and anxiety because of the long standing problems that this sort of disturbance results in. It is not only the night economy that contributes to this. Afternoon and evening drinking is also common and occurs at many licensed premises in Fallowfield but also occurs in gardens. More alcohol delivery from another premises may increase this type of public nuisance. We do not feel that any measures can be taken to prevent this from making matters worse. There is no effective measure provided that demonstrates how this could be prevented.

During the pandemic, Fallowfield DC has been a much quieter place. However, during days of warm weather, there has been a mass migration of young people taking alcohol into the local parks and drinking on the streets. Additional alcohol delivery from Turkiss might also contribute to these problems

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/platt-fields-park-gatherings-warning-19932030>

The Cumulative Impact Policy needs to be upheld to prevent more problems which are linked to on and off sales of alcohol.

Many of the residents in Fallowfield are students and only live here for a short time. Some of them accept the night noise as part of their University experience for a few months over two or three years. Those of us who live here all the time (many of our group have lived in the area for more than 20 years) regularly have our sleep disturbed by groups of young people who are going out to eat, drink and go to clubs and events. The combined effect on our lives from the volume of people doing this is very harmful to our health and wellbeing.

In summary we cannot see anything that makes this an exceptional case enough to deviate from the CIP recommendation to refuse a late night license for off sales of alcohol. We are concerned about many aspects as outlined above and we hope you will be able to recommend a refusal of this license in respect to the sale of alcohol. We ask you to uphold the CIP once again and refuse this variation.

Yours





Licensing & Out of Hours Compliance Team - Representation

Name	Sion Roberts
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	REF 272724
Name of Premises	Turkiss Shawarma
Address	244 Wilmslow Road, Manchester, M14 6LD

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.

This premises is located within the Fallowfield/Wilmslow Road special policy area as per Section 5 of the Council's Statement of Licensing Policy.

Section 5.10 of the Policy states: "Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule in order to rebut this presumption. Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule in order to rebut this presumption."

However, the application does not address this policy.

In assessing the application, several site visits were undertaken, and the applicant spoke to directly regarding the application.

The existing premises is located amongst a 150 metre stretch of mixed use commercial properties, the majority with residential flats above, fronting the busy A6010 Wilmslow Road in/out to Manchester. Nearby residential properties consist of flats above adjacent premises. There are also more

traditional residential terraced properties, directly to the rear and the large student halls of residence campus is directly over the Wilmslow Road, facing the premises.

The applicants proposed increased closing times are Monday-Sunday 05.00am. With hot food for takeaway Until 05.00 and alcohol (delivery only) until 05.00.

To put the application in context, two similar style existing premises are in the immediate vicinity of premises and open until 04.00am and 05.00am, both larger frontage and larger internal waiting and serving area. The only other premises open until 05.00 is a Domino Pizza, however the service is delivery only from 03.00am.

Two off licences are also within close proximity both are closed by 12.00 midnight and 02.00 am respectively.

There is also a large, student popular, music based licensed premise (music, food and alcohol) in close proximity, also closed by 02.00am.

LOOHT, feels that the late terminal hour applied for in this application would lead to additional number of customers being attracted to this area as the majority of other premises in the locality offering food have closed. A significant proportion of these would likely be already intoxicated with alcohol and bring with it potential for antisocial behaviours.

LOOHT feel that this would undoubtedly lead to an additional noise nuisance being created.

- From customers arriving and leaving on foot, talking, shouting screaming and laughing.
- Cars/taxis pulling up waiting for customers to collect food, car doors slamming etc.
- Third party delivery drivers collecting and delivering food and alcohol orders. Noise nuisance from door slamming/ car engines etc. that would not normally be experienced by the residents in immediate vicinity or end point delivery location.

Unlike the two existing later open premises the limited frontage and space inside of the applicant's premise would undoubtedly lead to customers congregating outside unsupervised and contributing further to noise, littering and potential for crime and disorder.

In addition to noise the onward journey of customers either in vehicles or on foot would likely lead to an increase in dropped litter, from wrappers etc. of food bought from the premises. This has also been highlighted as concerns by representations from local residents.

5.2 of the policy states "Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield. Problems of preloading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield. Therefore, the policy in Fallowfield aims to prevent further alcohol-related crime and antisocial behaviour arising in the area from the customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime and antisocial behaviour, and hours likely to affect the ability of local residents to get a good night's sleep. Additionally, the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to preloading en route to licensed premises, and hot food takeaway wrappers at the end of the night."

Also for the committees consideration, the applicant (also proposed designated premises supervisor) is the existing late night refreshment licence holder for the premise and is currently under investigation by the LOOH team for breaching his current licence conditions for both opening times and the serving of hot food out of hours.

The steps to promote the licensing objectives set out in the application fail to address key risks associated with the likely impact of granting the application. This along with our ongoing investigation causes me to doubt the operator's ability towards promoting the licensing objectives.

As such LOOHT recommends that the application is refused on the grounds of being not upholding the licensing objectives in relation to public nuisance and does not feel any additional conditions or restrictions could be added that could prevent the above concerns highlighted being addressed.

Recommendation:

Refuse Application

Licensing Authority

From: Fraser Swift [REDACTED]

Sent: 16 April 2022 10:17

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

Subject: Premises Licence variation application 272724/AM2: Turkiss Shawarma, 244 Wilmslow Road, Manchester, M14 6LD

This is an objection to the grant of this application on behalf of the licensing authority as a responsible authority.

This premises is located within the Fallowfield/Wilmslow Road special policy area as per Section 5 of the Council's Statement of Licensing Policy.

Section 5.10 of the Policy states: *"Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule in order to rebut this presumption. Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule in order to rebut this presumption."*

However, the application does not address this policy.

5.2 of the policy states *"Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield. Problems of preloading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield. Therefore, the policy in Fallowfield aims to prevent further alcohol-related crime and antisocial behaviour arising in the area from the customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime and antisocial behaviour, and hours likely to affect the ability of local residents to get a good night's sleep. Additionally, the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to preloading en route to licensed premises, and hot food takeaway wrappers at the end of the night."*

Each application must be considered on its own merits and in accordance with Manchester's statement of licensing policy.

We know that litter issues in this area persist for local residents and it is a real source of nuisance for them. Similarly alcohol-fueled antisocial behaviour, including house parties, continue to cause concerns.

Alcohol delivery services increased the unsupervised availability of alcohol for consumption off premises, which is likely to increase the risk of crime and disorder.

At off licence premises, there is direct supervision when a customer places an order for alcohol. Staff can refuse to serve the customer who appears to be intoxicated or under-age. Refusal logs are kept; CCTV is available to be reviewed by the responsible authorities. Where alcohol is served by means of a delivery, the items have already been paid for before the courier arrives at the delivery location. Given the lateness of the hours applied for, it is likely that the person ordering alcohol for delivery has already been drinking. When a delivery is made, it is not possible to manage the situation, and it is unlikely that an effective assessment of the recipient's capacity to receive the alcohol would be conducted including, vitally, any refusal to complete the

sale by not handing it over, with the associated need to subsequently refund or make arrangements for alcohol to be redelivered when the person was not intoxicated. Concerningly, such risks aren't even considered or envisaged in the proposed operating schedule. Also, the responsible authorities are unable to effectively monitor couriers in a delivery only model as proposed by the Applicant.

There is the potential for public nuisance to be caused to those living near to licensed premises as well as by deliveries being made in connection with the premises. The risk of litter in the vicinity is increased as customers consume their takeaway food en route from the venue to their home address. Given the hours under consideration and the high number of students living locally, there is a strong likelihood they will be under the influence of alcohol, if not intoxicated. Deliveries outside daytime hours especially early in the morning and late evening or night, may cause public nuisance. There is a considerable risk of nuisance affecting residents: deliveries are likely to be to residential addresses and there is a risk of noise at the delivery point. Doors opening and closing and conversation at the point of delivery is also capable of disturbing neighbours late at night.

Section 8 of the Council's policy states:

"8.3...Applicants are encouraged to identify appropriate standards through risk assessment of their premises before making the application.

8.4 The degree to which the standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. For example, steps relevant to managing security and preventing drunkenness and nuisance are likely to be appropriate when later hours are applied for.

8.5 If a relevant standard is not addressed, it is more likely that relevant representations will be received resulting in a hearing and the engagement of the licensing authority's discretion. Therefore, where applicants elect not to address the standards identified, they are advised to include information explaining the omission. This might be because a risk assessment has shown the step to be unnecessary or because the item is already the subject of another consent, eg. planning permission or a statutory obligation."

The steps to promote the licensing objectives set out in the application fail to address key risks associated with the likely impact of granting the application. This causes me to doubt the operator's diligence towards promoting the licensing objectives.

For the reasons above, I do not believe that granting this application would be consistent with the duty on the licensing authority under s4 of the Licensing Act 2003, which is to carry out its licensing duties with a view to promoting the licensing objectives. I also do not consider that conditions or limitations could be added to effectively mitigate the risks.

Therefore, my recommendation is that the application is refused.

Fraser Swift

Principal Licensing Officer
Planning, Building Control and Licensing
Growth and Development

Email: [REDACTED]