

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	[REDACTED]
Contact Telephone Number	[REDACTED]

About the Premises

Application Reference No.	LPA 275316
Name of the Premises	TBC
Address of the premises including postcode	Rear Ground Floor, 26 Bury New Road, Manchester M8 8EL

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.

Re: Premises Licence (new) 275316/AM2: TBC, Rear Ground Floor, 26 Bury New Road, Manchester, (Cheetham ward)

Sue Bozkurt <[REDACTED]>

Fri 15/07/2022 11:23

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

Good morning,

I do not support the attached licence application and that I am objecting on the grounds of prevention of public nuisance for the following reasons:

A business operating from 23:00 to 05:00 could create a congregation of people at this venue after leaving the City Centre creating a noise nuisance and adding to the poor environment along Bury New Road. Offering food deliveries between these hours would also create a noise nuisance in this area. The venue could attract street drinking and add to the ASB

Multi partnership work is ongoing in the area, to tackle counterfeit activities and address the environmental issues. Littering is particularly poor in this area, and the fortnightly cleansing cycle increased to daily in June 2021, to attempt tackle this issue, although this still remains poor. Granting the application would add to the problems that already exist.

Resource to tackle the issues in this area has been increased, with a dedicated Anti Social Behaviour Officer deployed full time to this area. The officer has applied successfully for closure orders to premises which have been supported by Community Impact statements from residents and business owners who have raised complaints to MCC regarding illegal activity and the poor environment.

The applicant had not provided any information about cleansing arrangements to ensure that the area is kept clean and free of litter.

The application should be refused.

Kind regards
Sue



Licensing & Out of Hours Compliance Team - Representation

Name	Lauren Connell
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	275316
Name of Premises	TBC
Address	Ground Floor Rear, 26 Bury New Road, Manchester, M8 8EL

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 (LOOHT) have assessed the likely impact of the grant of this premises license, taking into account a numbers of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could lead to issues of public nuisance.

As a result of this assessment, we have concerns that the granting of this application is likely to lead to issues of public nuisance, these concerns are specifically that the grant of this licence is likely to lead to complaints of noise from customers visiting the premises and potential of a build-up of litter during the later hours applied for.

This premises licence has been received as a result of proactive monitoring from the out of hours team whereby the premises was found illegally trading after 23:00 on two seperate occasions without having the correct premises licence in place.

The application received seeks to request a premises licence to trade from 23:00 until 05:00 which is the maximum time that could be granted to allow for Late Night Refreshment. The premises is located on Bury New Road a mere 10-minute walk into the City Centre and 12 minutes to the AO arena. Bury New Road is a main thoroughfare to and from the City Centre.

When considering the request to implement the hours of licensable activities, we feel public nuisance is likely to be created by increased noise from customers arriving and leaving throughout the late night and early hours particularly those who could be revellers leaving the City Centre. There is a potential risk of this premises becoming a "go to" from revellers leaving venues within the City Centre as this is located directly on Bury New Road, a popular route for taxis who would normally be taking people home and leaving the area. If customers are waiting for food to be made this could create people loitering in the area also causing nuisance undermining the licensing objectives.

If the application were to be granted this would technically enable them to trade 24 hours a today. Currently within the Cheetham ward there is only one of these licences active, which

was granted to a hotel. Being the only premises, which would have a licence until this time located on a busy road draws attention to passing traffic and passers-by. It could also attract street drinkers, street community to gather, street drink, beg and cause antisocial behaviour around the premises throughout the night and early hours, undermining the prevention of public nuisance and prevention of crime and disorder licensing objectives.

Should this licence be granted there is a high likelihood that this would lead to further issues of litter in the surrounding area, something which is already a serious issue within this area of Cheetham. The hours also raise concerns over the ability of the premises to clean and maintain the street scene ahead of the morning as the premises will be operating 24 hours there will be no specific times outlined to clear litter at the closing and opening of the premises.

These two main issues have not been addressed in the application and no evidence of how this is to be managed. Section M of the application allows the applicant to describe the steps they will take to promote the licensing objectives. The applicant has given little to no regard to how they can promote the licensing objective prevention of public nuisance by offering no conditions. Describing that the premises “**does not have any music equipment to cause nuisance**”. Failing to address potential nuisance issues that customers may cause whilst directly congregating outside when queuing to enter, smoking outside and leaving the premises late at night in the early hours of the morning whilst waiting for orders and exiting and entering vehicles.

LOOH believe that a premises seeking to operate until 5am every day of the week with little regard or knowledge of the licensing objectives be conflicting with the Licensing Policy 2021-2026 and Licensing Objectives will not be upheld.

Consulting the Statement of Licensing Policy 2021-2026 the following is relevant-

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.

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.

Ability to clean and maintain the street scene

7.40 The licensing authority will expect operators to cleanse outside their premises, particularly at the close of business. Further, where its discretion is engaged, the licensing authority will take account of the potential impact of the premises upon litter problems in the area and take such steps that are deemed appropriate and proportionate to address such issues. Consideration will be given to the number of rubbish bins in the area to adequately cope with litter levels, as well as the general cleanliness of the area.

The applicant has failed to offer any mitigating factors to address those concerns described within the Policy. Given that the applicant has requested a premises licence which would enable them to trade 24 hours a day, the applicant seems to take no effort in considering any of the above issues which would have an adverse effect on the surrounding area and address these within their application.

8. Manchester’s standards to promote the licensing objectives

8.1 Applicants are required to set out in their operating schedule the steps they propose to take in operating the premises to promote the licensing objectives.

Relevant Standards are:

MS8 Prevent noise nuisance from the premises

MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

We would expect a premises wishing to open 24 hours to have more robust conditions in their operating schedule. LOOH therefore recommend that this application is refused due to the absence on any consideration in to upholding the licensing objectives.

Recommendation:Refuse Application