

PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM	
Your first name (required)		Your last name (required)	
Devon		Bennett	
Your address including postcode (required)			
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ			
Contact email address		Contact phone no	
Devon.bennett@manchester.gov.uk		0161 234 1540	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 282819
Name of the Premises about which you would like to make a representation:
Swankys Bar Ltd
Address of the Premises (including postcode if known):
320 Wilmslow Road, Manchester, M14 6XQ

YOUR REPRESENTATION
<p><b>Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)</b></p> <p>The Trading Standards Service has assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the prevention of children from harm.</p> <p>The applicant proposes the sale of alcohol for a bar. The applicant has offered some conditions to promote the licensing objectives, specifically the protection of children from harm. The conditions offered relate to implementing a challenge 25, ID checks at the door and at the bar, restricting access to the bar by children at certain times and requiring children to be accompanied by an adult. However, the applicant has failed to consider staff training specifically what staff training, and how it will be recorded/ refreshed. Furthermore, the applicant has not considered how refusals will be recorded, what acceptable forms of ID will be accepted and how they will ensure proxy sales do not occur on the premises.</p> <p>Manchester City Councils Statement of Licensing Policy MS12 <i>Prevent underage sales of alcohol, including proxy sales</i>, states that effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Examples given of this are details of what forms of ID are acceptable, the maintenance of refusal logs and staff training. MS12 continues stating that the licensing authorities preferred approach is a Challenge 25. This approach allows for a much stronger age verification policy as it is much easier for staff to distinguish if someone is 25 or older rather than 21. Documented staff training is also expected. The applicant has not given detail to ensure the licensing objectives would be promoted and upheld.</p> <p>Giving consideration to the above policy which clearly outlines expected measures to be taken at licensed premises and the condition that the applicant has offered. The Trading Standards Service recommends the following conditions to be attached to the premises licence if granted:</p>

**Supporting Evidence:** In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

**Remove offered condition:**

- Implement a challenge 25 scheme

**Add conditions:**

- All staff authorised to sell alcohol shall be trained in:
  - Relevant age restrictions in respect of products
  - Prevent underage sales
  - Prevent proxy sales
  - Maintain the refusals log
  - Enter sales correctly on the tills so the prompts show as appropriate
  - How to refuse service
  - The conditions in force under this licence.
- Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.
- 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.
- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises, that the Challenge 25 scheme is in operation.
- The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 48 hours of a request by an officer of a Responsible Authority.

**From:** Devon Bennett <devon.bennett@manchester.gov.uk>  
**Sent:** 16 December 2022 10:59  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** RE: Fw: LPA 282819 - Representation

Good Morning,

Thank you for your assistance Patrick. As the applicant has now accepted the conditions, the Trading Standards Service withdraws its representation.

Regards

Devon Bennett  
**Trading Standards Technical Officer**

Citywide Support  
Neighbourhoods Directorate  
Manchester City Council  
1 Hammerstone Road, Gorton, Manchester, M18 8EQ  
Tel External: [0161 227 3185](tel:01612273185)  
Tel Internal: [43185](tel:43185)  
Mobile: [07733038926](tel:07733038926)  
[devon.bennett@manchester.gov.uk](mailto:devon.bennett@manchester.gov.uk)  
[www.manchester.gov.uk](http://www.manchester.gov.uk)



**From:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Sent:** 15 December 2022 12:36  
**To:** Devon Bennett <devon.bennett@manchester.gov.uk>  
[REDACTED]  
**Subject:** Re: Fw: LPA 282819 - Representation

Hello Devon

Please see the email below from the applicant accepting your conditions. As your conditions have been agreed, will you now withdraw your representation?

Natalie: Normally it would be up to you to send an email to the person making the representation stating you accept their conditions. I have done this for you on this occasion.

Regards

Patrick

Premises Licensing  
Growth and Development  
Manchester City Council  
Level 1 Town Hall Extension

Albert Square  
PO Box 532  
M60 2LA  
Email: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)  
Web: [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing)

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**From:** [REDACTED]  
**Sent:** 15 December 2022 12:30  
**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>  
**Subject:** Re: Fw: LPA 282819 - Representation

Hi Patrick

Thank you for forwarding this email on to me.  
I spoke to Devon Bennet yesterday and I whole heartedly accept the conditions he has proposed for the premises licence.  
I have tried to call him today but not managed to touch base with him.  
Just wanted to know what is expected of me now ie do I just respond to you accepting the conditions or should I speak to Devon or just email him accepting the conditions?  
Would appreciate your advice so it's done today.

Many thanks  
Natalie



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

Name	Stuart Alderson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Stuart.alderson@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details	
Application Ref No	REF:M282819
Name of Premises	Swanky's
Address	320 Wilmslow Road, Manchester, M14 6XQ

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>Licensing and out of hours team have assessed the likely impact of the granting of this licence taking into account a number 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.</p> <p>This premises falls within the Fallowfield special policy area and as such section 5.7 of the statement of licensing policy 2021-2026 applies (see below).</p> <p><i>5.7 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.</i></p> <p>The application does not specifically demonstrate how they will not add to the cumulative impact already being experienced.</p> <p><i>The policy also states, Alcohol lead venues operating after 11: 30pm.Strong presumption against and a genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.</i></p> <p><i>5.10 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 to rebut this presumption.</i></p> <p>The application does not address the implications of the special policy, does not demonstrate there will be no harm to the licensing objectives or present a genuinely exceptional case, so there are no grounds to depart from policy or rebut the strong presumption against granting this licence.</p>

On the balance of probabilities, the granting of this licence is likely to undermine the licensing objectives, especially in regard to public nuisance. Above the premise will be a 5-bed duplex student apartment, there are apartments above the neighbouring shops and a block of 18 residential flats directly adjoining to the rear. There are 2 other large flat blocks, Mayfair Court 80 flats and 2 Willow Bank 17 flats, within 50metres and having a premises with a large outdoor area, regular music events until 2am, midweek quizzes and karaoke nights is likely to cause a noise nuisance to the residents of the apartment above and surrounding residential properties even if the work recommended in the noise impact assessment is completed and staff complete external sound checks. Noise (music) from within the premises is likely to transmit through the structure of the building and could cause a nuisance to the surrounding residential properties as is noise from the outdoor area, groups lingering outside smoking and congregating at closing. The operating schedule states there will be a dispersal policy but does not give any specifics or details how they will implement and manage this. The operating schedule does not address possible noise nuisance from waste being put into bins late at night, the collection of those bins during the early hours or their safe storage. The operating schedule in the application does not detail how they will train staff to suitably manage challenging customers, any conflict or any other issues that could lead to public nuisance and undermine the licensing objectives. While some of the conditions offered in the operating schedule go somewhat toward upholding the licensing objectives the lack of detail or robust enforceable conditions concern me as to whether the application fully understands the licensing objectives or the cumulative impact policy.

Also granting the hours requested, midnight on Sundays and 2am every last Saturday of the month and Bank holidays, would conflict with the hours permitted by planning (see points 3 and 4 below). The council's planning committee limited the opening hours to safeguard the occupiers of nearby residential properties and thus help prevent public nuisance.

*3) The premises shall not be open outside of the following hours:*

*08.00 - 00.00 Monday to Saturday*

*09.00 - 23.00 Sundays and Bank Holidays*

*Reason - To safeguard the amenities of the occupiers of nearby Residential accommodation*

*4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily.*

The statement of licensing policy also states.

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

Other than having security on at weekends the application does not offer any detailed plan of how they will mitigate this increased risk of opening later and uphold the licensing objectives especially in relation to crime, disorder, or public nuisance.

I therefore ask this application is refused on the grounds of public nuisance.

Recommendation: Refuse Application

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

## About the Premises

Application Reference No.	LPA 282819
Name of the Premises	<b>Swanky's</b>
Address of the premises including postcode	<b>320 Wilmslow Road, Manchester M14 6XQ</b>

## 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 application in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises are situated on Wilmslow Road, Fallowfield which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically, the application is seeking to allow the provision of alcohol, regulated entertainment and late-night refreshment until 0000 hours 7 days a week, with seasonal variations until 0200 hours.

The Wilmslow Road corridor suffers from littering, noise disturbance and other anti-social behaviour and to allow the premises to remain open until these times is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The area where the premises are situated is subject to a Cumulative Impact Policy due to the problems in the area with night time economy related issues, many of which are noise, littering and anti-social behaviour related.

There is therefore a strong presumption against further alcohol and late-night refreshment premises in this area and GMP can see no reason why this should not be the case with this application. The applicant has not demonstrated how by having another such premises in this area they will not add to the cumulative issues within the area.

MCC's licensing policy states that a genuinely exceptional case would need to be shown. The reasons for this exception should be shown within the operating schedule and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.



While the contents of the operating schedule are a matter for the applicant, where there is objection to a schedule that departs from the Policy, the licensing subcommittee hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.

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

Greater Manchester Police would therefore ask that the application be refused.

## RES1

**From:** webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>

**Sent:** 03 December 2022 10:08

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

**Subject:** Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	
<i>Last name:</i>	
<i>Building number or name:</i>	
<i>Street:</i>	
<i>Area:</i>	
<i>Postcode:</i>	
<i>Email :</i>	
<i>Application reference number:</i>	282819/PW5
<i>Premises name (if known) and full address this representation relates to:</i>	Swanky's 320 Wilmslow Rd, M14 6XQ
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of crime and disorder
<i>Which of the licensing objectives are relevant to your</i>	Public safety

## Question

## Response

*comments on this application: :*

*Which of the licensing objectives are relevant to your comments on this application: :*

The prevention of public nuisance

*Which of the licensing objectives are relevant to your comments on this application: :*

The protection of children from harm

*Please state your comments on this application :*

As we know, in this area with such a high density of University students and transient residents, alcohol consumption contributes significantly to noise, nuisance and anti-social behaviour. The proposed bar is located within the special Cumulative Impact Policy area. For any new licenses, the applicant needs to be able to show that they will not add to the problems that exist and that there is a genuinely exceptional reason for the council to depart from this policy.

## RES2

**From:** webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>

**Sent:** 03 December 2022 18:55

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

**Subject:** Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	
<i>Last name:</i>	
<i>Building number or name:</i>	
<i>Street:</i>	
<i>Area:</i>	
<i>Postcode:</i>	
<i>Email :</i>	
<i>Application reference number:</i>	Subject: Premises Licence (new) 282819/PW5: Swanky's, 320
<i>Premises name (if known) and full address this representation relates to:</i>	320 Wilmslow Road, Manchester, M14 6XQ
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of crime and disorder
<i>Which of the licensing objectives are relevant to your</i>	Public safety

## Question

## Response

*comments on this application: :*

*Which of the licensing objectives are relevant to your comments on this application: :*

The prevention of public nuisance

*Please state your comments on this application :*

As we know, in this area with such a high density of University students and transient residents, alcohol consumption contributes significantly to noise, nuisance and anti-social behaviour. The proposed bar is located within the particular Cumulative Impact Policy area. This application and possible go-ahead would add further issues to a small area which contributes to significant social problems of ASB due to a students being drunk on the streets after 11 am. The noise of drunken students and others buying alcohol after 11an affected children's lifestyles and all our sleep due to the noise caused by drunk students asb. I report glass on the street daily due to bottles being dropped late at night. We can't cope with the current issues without adding another Retailer selling alcohol in a high-density student area. This application would add to the issue and misery in the area, causing ABS, litter and crime. I'm sick of reporting vomit on the streets - this application would only add to the issues. Please do not allow this application to go ahead

### RES 3

[REDACTED]

Application Type: Premises Licence (new)

Reference: 282819/PW5

Premises: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ

General description of premises as given by the applicant:

Café bar with associated toilet facilities with outside seating area to the front.

Proposed hours and licensable activities:

**Provision of regulated entertainment (live music, recorded music) (Indoors):**

Mon to Sun 11pm to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

**Provision of regulated entertainment (anything of a similar description to live music, recorded music or performances of dance) (Indoors):**

Mon to Sun 11pm to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve until 2am

**Provision of late night refreshment (Both on and off the premises):**

Mon to Sun 11pm to 12 midnight

**The supply of alcohol for consumption (both on and off the premises):**

Mon to Sun 9:30am to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

**Opening hours:**

Mon to Sun 9:30am to 12 midnight

Once a month soul and Motown night on the last Saturday of each month until 2am

New Year's Eve, Halloween 31st October until 2am

Easter bank holiday weekend until 2am

Both May bank holidays and August bank holiday Friday/Saturday until 2am

## Comments of Withington Civic Society

We object to the application.

In the first place any licence given to the applicant should not exceed the hours for which planning permission was granted as recently as June 2022, (132530/FO/2021) as follows:

3) The premises shall not be open outside of the following hours: 08.00 - 00.00 Monday to Saturday 09.00 - 23.00 Sundays and Bank Holidays. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

We support this decision and the reasons given.

In addition these premises fall within the Cumulative Impact area of Fallowfield. According to the Council's Statement of Licensing Policy 2021 – 2026:

“The Council has received satisfactory evidence (considered by the Licensing Policy Committee at its meeting on 21 January 2013 and Council on 30 January 2013) that the cumulative impact of licensed premises in the geographical area identified on the map in Appendix 7 is undermining the promotion of the licensing objectives in relation to crime and disorder and public nuisance. The Council has taken into consideration the contents of the ‘Review of the Impact of Licensed Premises in Fallowfield – Consultation Analysis’ Licensing Policy Committee Report dated 21 January 2013, and determined the Special Policy should be implemented as proposed in that report. The reasons for this policy approach, originally set out in section 8 of that report, are set out below:

‘The predominant concentration of licensed premises is within the Fallowfield area. This area suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas, which is demonstrated in the Cumulative Impact Analysis (Appendix 5 of The Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012). The levels of crime recorded with an alcohol marker have risen annually between 2009 and 2011, of which there is the strongest concentration in the late evening and early hours of the morning. The degree of antisocial behaviour recorded in the area is also significantly disproportionate compared to the rest of the former B & C policing divisions, since conjoined to form the E division. Between 2009 and 2011, the average rate of antisocial behaviour per square kilometre in the E division was 343 incidents per square kilometre compared to an average of 2,180 incidents per square kilometre in Fallowfield. Similarly, antisocial behaviour levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

The complaints about antisocial behaviour from local residents, received both prior to and in response to the policy consultation, repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. 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".

### The 2021 Policy continues:

5.4 This Policy has been reviewed and updated analysis of the Policy area shows that there is still a far higher concentration of levels of issues in the area, compared to both the adjacent Withington Special Policy area, as well as the wider South Manchester 'E' policing division.

5.5 Over the past three financial years, an average of 38% of victim-based crime in the Fallowfield/Wilmslow Road Policy area happened between midnight and 5am, compared with 16% in the Stress area and 20% in the E division as a whole. Over the same three years, an average of 40% of antisocial behaviour in the Policy area happened between midnight and 5am, compared with 18% in the Stress area and 20% in the E division as a whole. 5.6 Therefore, the authority considers it appropriate to retain the Policy for 'Fallowfield and Wilmslow Road' as it stands .

**We agree with these findings. Yet another outlet for late night drinking is very likely to add to problems involving:**

**Public Nuisance (noise & litter)**

**Crime & disorder.**

**At paragraph 5.7 the Policy states further:**

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

The applicant will no doubt say that this bar falls within an area of many such bars. This is precisely the point so far as we are concerned. The Cumulative Impact Policy was introduced to deal with this problem and prevent it getting any worse. No exceptional reason has been put forward for the requested late opening hours.



From our perspective in Withington these issues are highly relevant for two reasons:

1. Our members live close to or have to travel through the area on their way home from central Manchester; for those who live just south of Fallowfield District Centre in Withington or Old Moat wards the impact is immediate in terms of littering, vandalism and noise nuisance. Egerton Road and Wilmslow Road are often littered with smashed glass from broken glasses, causing hazard to humans, dogs, and cycle & car tyres.

This would surely be exacerbated by more licensed hours

2. The problems of Fallowfield grow ever closer to the District Centre of Withington.

Accordingly, we believe the application should be refused.



For and on behalf of Withington Civic Society

10<sup>th</sup> December 2022

RES4

**From:** Fallowfield Community Guardians <[REDACTED]>

**Sent:** 20 December 2022 13:14

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

**Cc:** alan.isherwood <alan.isherwood@gmp.police.uk>; Fraser Swift

<fraser.swift@manchester.gov.uk>; Clare Myatt <clare.myatt@manchester.gov.uk>

**Subject:** Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians as agreed at our meeting on December 7th 2022. We wish to strongly object to the application for an alcohol licence and late night opening hours at 320 Wilmslow Road, M14 6XQ.

The main reason for our objection is that the current number of licensed premises in Fallowfield District Centre (54 licensed premises) already cause residents many problems; in particular in terms of noise, nuisance, littering, criminal damage and anti social behaviour. These problems have been going on for years and are so pronounced that a cumulative impact policy zone has been assigned to Fallowfield District Centre to try and prevent further problems. The CIP was introduced in 2013 and remains in place following a review in 2021. Swanky's falls right in the heart of this CIP zone. Adding another bar selling alcohol will undoubtedly add to the existing problems. There are no exceptional reasons given by the applicant to deviate from this policy. MCC Statement of Licensing Policy 2021-2026 recommends refusal *"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"*

We believe that the licensing objectives will be undermined if another bar is added to the existing licensed premises. The premises at 320 Wilmslow Road is at a particular flash point location with other pubs and clubs in very close proximity whose licenses were granted before the Cumulative Impact Policy was implemented. The Friendship Inn, Wetherspoons and Nest nightclub are within a few metres of Swanky's around the Egerton Road, Wilmslow Road junction. These three licensed premises cause considerable problems for residents and relate to public nuisance and public safety. Everyday occurrences include broken glass on surrounding pavements, vomit, litter and noise from patrons drinking in outside areas. Noise of patrons going to and from premises also creates a lot of sleep disturbance for residents. It is not just the density of existing licensing premises that is a problem, it is also the vast concentration of University students located in the M14 6 sub postcode. There is a very unbalanced population of transient young people living in this neighbourhood who populate the area during academic term times and this creates many problems for those in our area who live here all year around.

Fallowfield has recently been in the national news following the murder of a student in the early hours of the morning at the end of October 2022. Just this week another serious incident occurred in the District Centre. In our experience of living in this area, we know that the consumption of alcohol and drugs exacerbates the problems which create so much anti social behaviour.

## **University student stabbed to death in Fallowfield – Greater Manchester**

### **Police**

The force said a 19-year-old boy was fatally stabbed in the student area in the early hours of Wednesday morning.

**Laura Parnaby**

Wednesday 26 October

2022

<https://www.independent.co.uk/news/uk/greater-manchester-police-cpr-manchester-crimestoppers-university-b2211285.html>

Another serious incident happened yesterday evening in Fallowfield:

## Huge emergency services response on Wilmslow Road after serious assault on man

Images from the scene show around seven police vehicles and three ambulances in the Cawdor Road area off Wilmslow Road.

- **Bookmark**

BY

**James Holt**Reporter

- **UPDATED**22:01, 18 DEC 2022L
- [HTTPS://WWW.MANCHESTEREVENINGNEWS.CO.UK/NEWS/GREATER-MANCHESTER-NEWS/LIVE-UPDATES-POLICE-AMBULANCES-SCENE-25784047](https://www.manchestereveningnews.co.uk/news/greater-manchester-news/live-updates-police-ambulances-scene-25784047)

Our group have been meeting monthly since 2006 and at all of our meetings residents recount incidents of noise and anti social behaviour which often relates to the consumption of alcohol in bars and clubs as well as on-street drinking and house partying. This has a terrible effect of many of us and affects our sleep, health and well being. Alcohol is a root cause of many of these problems. **World Heath Orgaisation research highlights that: "Restriction of availability has been assessed as a highly cost-effective best-buy intervention...**Countries are recommended to regulate... to reduce the hours of sale (a highly cost-effective measure) **and density of outlets."** <https://www.who.int/initiatives/SAFER/alcohol-availability>

Residents in our group are suffering immense stress and strain from living close to Fallowfield District Centre.

We also note that planning conditions have recently been set for this premises and we consider the reasons given by MCC important to protect the amenity of residents. We hope that the committee will be mindful of these conditions in relation to this application.

We do not have a problem with the premises being operated as a cafe / hairdressers but we completely oppose the late night hours requested and the sale of alcohol as this will undoubtedly add to the cumulative problems that already exist. We see no exceptional reason to depart from this policy and for all the reasons outlined above we request that this application be refused and that the Cumulative Impact Policy be upheld

Yours



Community Guardian Coordinator  
Fallowfield & Withington.

RES5

From: [REDACTED]

Sent: 20 December 2022 18:19

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

Cc: [REDACTED]  
[REDACTED]

**Subject:** Premises Licence (new) 282819/PW5: Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ, (Old Moat Ward)

**Your Ref: Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ, (Old Moat Ward)**

To whom it may concern;

I am a long-term resident of [REDACTED] (since 1985) and I am objecting to the request for a license for alcohol licence and late-night opening hours; at the site location: Swanky's, 320 Wilmslow Road, Manchester, M14 6XQ.

These premises (320 Wilmslow Road, Manchester, M14 6XQ 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 myself on [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 a fresh alcohol licence and late-night opening hours, particularly in the light of what's been happening in the near vicinity in Fallowfield (a murder, serious assaults etc), quite frankly, beggars belief.

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, lies just North of "Swanky's", the 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.

**Recent Personal example of this behaviour?** For Sure:-

**Tuesday 29<sup>th</sup> November at the end of Landcross Road;** yards from where, 4 x weeks prior, a 19-year-old student had been stabbed to death.

It was around 10:30pm at night; I'd just come off a bus from the town centre (Classical music concert at the Bridgewater Hall) and was making my way home to [REDACTED].

The noise was deafening; coming from "256" (the huge drinking emporium at the end of Landcross Road) 2 x humans were urinating - one in a doorway and one in an alley at the top of Landcross Road and another was vomiting against the railings.

Making my way through this mayhem, I tripped on one of the latest “must have” psychoactive substance (nitrous oxide/laughing gas) industrial size bottles (they weigh 1.4kg) which litter the streets in the area (see picture below)



With this party/club fested, drunken, drugged up zombified mass making its way back (post the late-night closing times) through the Brow Streets to their rented accommodation, screeching and hollering as it went, I had little sleep that night (as most nights)  
*Any* addition to this already over-capacity hellish nightmare, 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, In the four years that I’ve purchased my car, and parked up outside my house, it has been “hit/vandalised” 8 x times. Here’s one incident 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.

And does the patron of this proposed “much needed” new “Swankeys” drinking emporium really have a grip on what’s going on here in this area? Or care? Most certainly, no moral compass. In summation

to this little paragraph; Just another cynical, uncaring, feckless individual, out to exploit the get down 24/7 party/club liquor saturated zombie wallets and purses that totter around the M14 streets.

No more, thank you, enough is enough.

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

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** SEFRG [REDACTED]

**Sent:** 21 December 2022 19:41

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

**Subject:** Licence Application 282819/PW5 Swankys Bar Ltd, 320 Wilmslow Road, M14 6XQ

Dear Sir/Madam,

Re: Licence Application 282819/PW5  
Swankys Bar Ltd, 320 Wilmslow Road, M14 6XQ.

I am writing on behalf of South East Fallowfield Residents' Group to object in the strongest terms to the above licence application. At every residents' meeting I have attended the problems of ASB (littering including drug/alcohol debris, noise, drug dealing, theft/burglary, intimidation, vandalism etc) and crime are highlighted and it is our view that these are closely related to the numbers of licensed premises in this area and the fact that Fallowfield is home to a very large transient population, many of whom are students at the universities.

This new bar application by Swankys Bar Ltd is in Fallowfield district centre which is designated a Cumulative Impact Policy (CIP). The special licensing policy means that no new licences should be granted here unless there are 'genuinely exceptional reasons for departing from it'.

The CIP was first introduced in 2013 because it was seen that the number, type and density of licensed premises in Fallowfield District Centre were impacting adversely on the licensing objectives. The policy was recently reviewed in 2021 and still stands.

In the last few months alone we have seen a number of very serious incidents in the area which we strongly believe are linked to the availability of alcohol and the late night 24/7 culture in this suburb (in particular please note the recent fatal stabbing on Wednesday, 26th October which took place c 0.2 miles from Swankys at 2am in the morning) <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/murder-investigation-underway-after-student-25360729.amp>. We are not talking about a city centre here, this is a residential area and yet we now have in excess of 50 licensed premises on a stretch which is less than half a mile in length. This is a higher density than most city centres have and it is absolutely clear to anyone who lives here that we do not have the resource to adequately police this.

Fallowfield has much to offer residents in terms of its transport links, access to green space, schools and proximity to popular neighbouring suburbs however the levels of anti social behaviour and crime mean that long term residents (who have a choice) are constantly driven away because they cannot stand living here. We need more residents to lay down roots here because a balanced neighbourhood is a functional - and safe - neighbourhood and that benefits the whole community.



Manchester's Statement of Licensing Policy, section 5.2 'Special Policy Areas' states that MCC have received 'satisfactory evidence that the cumulative impact of licensed premises.... is undermining the licensing objectives in relation to crime and disorder and public nuisance'. It goes on to mention that there are a significant number of crimes with an alcohol marker, that most crimes take place in the late evening/early hours of the morning and that the degree of anti social behaviour is also 'significantly disproportionate' compared to neighbouring areas.

It is clear therefore that it is not just our perception that much of the problems here are caused by the density and type of licensed premises but MCC and the police also have evidence of this connection. We therefore cannot understand how granting a licence in any form to Swankys would not add to the harm.

Having had the misfortune to attend many licence hearings over the last 4/5 years, I have noticed that applicants often (at least initially) make excessive applications asking for incredibly long opening hours and to serve alcohol and hot food both on and off premises -and sadly this application is no exception. Swankys Bar Ltd have applied for a 2am closing time for up to 64 days a year and that's excluding any Temporary Event Notices which are a further add -on. They also want to operate as a takeaway and an off licence... in a cumulative impact policy area.

I think excessive applications like this mean that residents naturally focus their objections on the extremes of these requests rather on the simple point which is we don't want any more licences here at all, there are far too many already and this is causing damage to our physical and mental health and well-being. As a result the panel may not realise the true impact on our lives of yet another new licence, albeit on slightly reduced terms and so we see compromise licences being granted.

MCC's Statement of Licensing Policy states that the effect of the special policy is that the panel will refuse all new applications (or licence variations) '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'. This seems to suggest that giving a new licence under reduced terms should not be an option where the panel might think that it will 'only' lead to a bit of extra harm. It should only be an option if the applicant really can prove that their application would definitely not lead to ANY further problems at all, or that there are truly exceptional reasons for departing from the policy. This is, of course, a very high threshold and I am sure that Swankys could not show this is the case.

If this application was granted it would definitely lead to increased noise, litter and ASB. It will also result in more people hanging around on this stretch of road and that, in itself, poses problems with dealers etc targeting drink and drug addled

patrons as they go to and from the various bars and takeaways with a misguided sense of security because they live in Fallowfield which many regard as an off shoot of the Owens Park campus.

We urge you to reject this application in full.

Yours faithfully,

[REDACTED]

[REDACTED] South East Fallowfield Residents' Group

**From:** Fallowfield Community Guardians [REDACTED]  
**Sent:** 21 December 2022 18:49  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** sherwoodtra [REDACTED]  
**Subject:** Premises Licence (new) 282819/PW5: Swanky's, 320 Wilmslow Road M14

FAO Case Officer [REDACTED]

Dear Patrick,

[REDACTED] of Sherwood Tenants & Residents Association has asked me to type up and send this objection on her behalf because she is unwell at present and is having difficulty typing.

We hope you will be able to accept this representation and if you need to speak to [REDACTED] to confirm that she has asked me to do this, I can pass on her phone number to you.

Kind regards  
[REDACTED]

Dear Sirs

I write on behalf of the residents of the Sherwood Estate, Fallowfield regarding this new application to trade until 2.00am on many nights of the year as well as late nights until midnight throughout the week. This is a new application to sell alcohol at a former hairdressing salon at 320 Wilmslow Road in Fallowfield District Centre. We wish to register our objection to the sale of alcohol because this is a new premises in a Cumulative Impact Policy area.

As long term residents living so close to Fallowfield District Centre we see on a daily basis the litter and glass left from our nearby clubs and bars. These premises are very close to our estate and so many of the patrons of the proposed bar will pass by our homes when walking back to their shared accommodation. We are badly disturbed on a regular basis by street noise of those going to and from the licensed premises in Fallowfield. We do not want any more licensed premises to add to the night noise and nuisance that we already have.

There are many families living on our estate who have children with ages ranging from 0 – 18 suffering from disturbed sleep which is particularly noticeable during University term times; this is because transient noise travels from Wilbraham/Wilmslow Road area of Fallowfield District Centre bars and takeaways. The majority of businesses trading within FDC operate late into the night and this business also wishes to have outdoor seating. Sherwood residents are not reassured that there will be no additional cumulative impact, we are convinced that there will be an increase in public nuisance due to the proximity of this business to our homes. Students tend to walk in groups of at least 4 and wake us up due to their shouting, loud screams and sounds of general merriment after drinking alcohol- at volumes more suited to daytime hours rather than the early hours of the morning walking through a residential area..

We are concerned that should this licence be granted, with hours as applied for, it will increase night time noise disturbance.

We can see no reason to depart from the policy as there is nothing new on offer which Fallowfield doesn't already have.

We can see no merit in permitting these premises to add another venue selling alcohol to Fallowfield District Centre and respectfully ask that this application is refused in full and that the Cumulative Impact Policy is upheld.

Yours faithfully

[REDACTED]

[REDACTED] Sherwood TRA  
Community Guardian

[REDACTED]

[REDACTED]