



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

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**Premise Details**

Application Ref No	REF 288436
Name of Premises	Burgasm
Address	3 Mirabel Street, Manchester, M3 1PJ

**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 (LOOH) team have assessed the likely impact of the granting of this application 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 risks that the granting of this application could undermine the licensing objectives.

The Licensing and Out of Hours (LOOH) team has given consideration to Manchester City Council's Statement of Licensing Policy 2021-2026 with particular reference to 7.26 and 7.29.

The applicant requests an extension of the current hours, to open until 2am Sunday to Thursday, and 4am on Friday and Saturday night. The applicant has offered 2 conditions in this application, these are having two SIA registered door supervisors on duty between 10pm on close of business on Friday and Saturday night, and after midnight there will no off sales of alcohol except for delivery.

The location of the premises is near residential accommodation, the Arena and commercial properties. There have been numerous noise complaints to the LOOH team, and the later opening of this premises coupled with the potential for noise from delivery riders could result in an increase in noise complaints as the area is relatively quiet other than when there are events at the Arena.

The Licensing and Out of Hours team have concerns that the granting of this licence could lead to issues of public nuisance, in particular with noise and waste.

The Licensing and Out of Hours team propose the following conditions:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
3. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.
4. At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including in and around the smoking area, shall be swept, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.
5. The premises licence holder must instruct delivery riders and drivers not to cause a noise nuisance when making deliveries or whilst waiting outside the premises for collections, and must not congregate at the premises causing an obstruction on the highway.
6. The premises licence holder must instruct all delivery riders and drivers to switch off their engines whilst waiting for a delivery.
7. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
8. Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
9. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
10. Between the hours of 11pm and 7am no waste/glass bottles will be moved or deposited outside.
11. A first aid box will be available at the premises at all times.
12. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated areas.
13. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
14. A 'Challenge 25' policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant card, EU/EEA national ID card or similar document or a form of identification with the 'PASS' hologram.
15. Staff training will include the Challenge 25 policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

We consider these conditions to be proportionate and appropriate to prevent public nuisance from occurring at the premises.

Recommendation: Approve with Conditions (Outlined Above)