



Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Hammerstone Road Depot, Manchester, M18 2QX
Email Address	gemma.hunt@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No	M291218
Name of Premises	Island Lounge
Address	645 Mauldeth Road West, Manchester, M21 7SA

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 & Out of Hours (LOOH) team have assessed the application taking into account the hours and activities applied for, the location of the premises and any effect the granting of the licence could have on the four licensing objectives.

The premises is an existing restaurant located in a heavily residential area. The LOOH team have an active noise nuisance investigation following reports from multiple residents. This relates to both people noise and music.

Due to the complaints the LOOH team have been proactively monitoring the premises. There are some concerns around the proposed closure time of 0030 hours 7 days per week and noise from customers during the late evening and on dispersal, given the extremely close proximity of the premises to neighbours. This has the potential to disturb neighbours when they would normally be sleeping.

On the 17th August the LOOH team witnessed offences taking place under the Health Act 2006 whereby a customer was smoking shisha from a hookah pipe in the front area of the premises, which was substantially enclosed. To be compliant with the Health Act the premises needs to be at least 50% open. The external area has a roof, the front and right side were covered by plastic sheeting and to the left was wooden type panelling. The only open part of the premises was the doorway. The proposed premises licence holder (PLH) was on site and confirmed that the premises sells shisha, and that the plastic sheeting has been down due to bad weather, for around 2 months. The premises opened approximately 5 months ago.

A brief discussion then took place around making the front area compliant with the Health Act. However, to be compliant with the Health Act to allow smoking, would then open the premises up and create an increase in noise nuisance to residents.

Ideally the proposed PLH should have ensured the premises were trading legally, and without disturbance to neighbours before opening the premises, and most definitely before applying for a Premises Licence.

Without a clear plan from the premises on how they intend to move forward to both avoid committing offences under the Health Act and to mitigate noise nuisance from both customers and music, the LOOH team can only object to the grant of the licence.

Recommendation:

Refuse Application

From: Gemma Hunt

Sent: Sunday, October 1, 2023 1:53 PM

To: [REDACTED]

Subject: R780996 Island Lounge, 645 Mauldeth Road West

Dear [REDACTED]

Further to our meeting on Wednesday.

I can advise that following our discussion and on the assumption that the smoking area is made compliant with the smoke free regulations, we intend to withdraw our objection to the licence being granted, should the following amendments be made:

Licensable Activities

Monday to Thursday: **Alcohol** 1600 – 2230, **Opening hours** 1600 – 2300

Friday & Saturday: as applied for **Alcohol** 1600 – 0000, **Opening hours** 1600 - 0030

Sunday: **Alcohol** 1600 – 2330, **Opening hours** 1600 – 0000

Additional Conditions:

1. The premises will adhere to a documented smoking policy. The policy will be agreed with the Licensing & Out of Hours Team and will be submitted to the Licensing Authority.
2. The premises will adhere to a documented dispersal policy. The policy will be agreed with the Licensing & Out of Hours Team and will be submitted to the Licensing Authority.
3. After 11pm, windows and doors will be kept closed, save for ingress and egress.
4. The outside area will be closed to the public:
from 9pm Sunday to Thursday, and
from 10pm on Friday & Saturdays,
Save for customers who wish to smoke. Customers wishing to smoke will not be permitted to take any drinks outside after these times.

Please could you respond on email confirming your agreement to the above and I will send over to Premises Licensing.

Kind regards

Gemma Hunt

Licensing & Out of Hours Compliance Officer

07817014958

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 291218
Name of the Premises	Island Lounge
Address of the premises including postcode	645 Mauldeth Road West, Manchester M21 7SA

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, Public Safety and the Protection of Children from Harm.

Greater Manchester Police have been informed by our colleagues from the Manchester City Council Licensing and Out of Hours Team that during a recent visit to the premises on 17th August 2023, they witnessed offences taking place under the Health Act 2006. A customer was seen to be smoking a shisha pipe in an area which was not at least 50% open to the elements.

Therefore, GMP are not satisfied that the applicant will uphold the 4 licensing objectives as they are already allowing offences to be committed on the premises.

We therefore ask that this application is refused.

From: Alan Isherwood <Alan.Isherwood@gmp.police.uk>
Sent: 04 October 2023 06:46
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]; Dave Rawson
<cllr.dave.rawson@manchester.gov.uk>; Mitchell Ward <mitchell.ward@manchester.gov.uk>;
Gemma Hunt <gemma.hunt@manchester.gov.uk>
Subject: RE: R780996 Island Lounge, 645 Mauldeth Road West

Dear All,

In view of the agreement between MCC LOOH and the applicant, GMP's concerns have now been addressed, so I would like to withdraw our representation.

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

alan.isherwood@gmp.police.uk

0161 856 6017

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)		
Sonia	Cooke		
Your address including postcode (required)			
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ			
Contact email address		Contact phone no	
sonia.cooke@manchester.gov.uk		0161 219 2803	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 291218
Name of the Premises about which you would like to make a representation:
Island Lounge
Address of the Premises (including postcode if known):
645 Mauldeth Road, Manchester, M21 7SA

YOUR REPRESENTATION
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)
<p>The Trading Standards Team have 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 protection of children from harm.</p> <p>The application is for a premises licence to allow the retail sale of alcohol for consumption on the premises.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026.</p> <p>The original application addresses few points relating to the Licensing Objectives especially in protecting children from harm.</p>

Giving consideration to the above application, the Trading Standards Team therefore recommend that the following conditions are applied to the licence if granted.

Remove offered conditions:

- The premises will operate Challenge 25 policy.

Add conditions:

- 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.
- 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
 - Recognising signs of drunkenness and vulnerability
 - How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
 - 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.

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.)

From: Sonia Cooke <Sonia.Cooke@manchester.gov.uk>
Sent: 08 August 2023 14:52
To: [REDACTED]; Premises Licensing
<Premises.Licensing@manchester.gov.uk>
Subject: RE: Fw: Island Lounge 291218/PW5

Good afternoon,

As the proposed conditions have been agreed, I confirm withdrawal of my representation.

Many thanks

Sonia Cooke
Trading Standards Technical Officer
Citywide Support Team – Trading Standards
The Neighbourhoods Service
Neighbourhoods Directorate
Tel: 0161 219 2803
Ext: 32803
Email: sonia.cooke@manchester.gov.uk

Post: Manchester City Council, 1 Hammerstone Road, Manchester, M18 8EQ

-----Original Message-----

From: [REDACTED]
Sent: 08 August 2023 14:36
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Sonia Cooke <Sonia.Cooke@manchester.gov.uk>
Subject: Re: Fw: Island Lounge 291218/PW5

Dear Sonia Cooke,

I would like to confirm that we are happy for the conditions offered in your representation to be included on the licence. I hope that this will allow you to withdraw the representation made. If you require any further information, please do not hesitate to contact me.

Kind regards
[REDACTED]

CLLR1

From: Dave Rawson <cllr.dave.rawson@manchester.gov.uk>

Sent: 23 August 2023 09:11

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Mandie Shilton Godwin <cllr.mandie.shiltongodwin@manchester.gov.uk>; Joanna Midgley <cllr.joanna.midgley@manchester.gov.uk>

Subject: Re: Premises Licence (new) 291218/PW5: Island Lounge, 645 Mauldeth Road West, Manchester, M21 7SA, (Chorlton Park ward)

These comments are submitted on behalf of Chorlton Park councillors; Dave Rawson, Mandie Shilton Godwin and Joanna Midgley.

These premises are extremely close to residential properties to the side and above. 643 Mauldeth Rd West is separated from the applicants by a very narrow alleyway. There are several flats immediately above the applicants and the neighbouring retail units.

Given the close proximity of these homes we believe that granting a licence to the applicant will have a negative impact on residents.

Currently, the premises operate as a cafe/restaurant and we are aware from residents that there have been issues with noise. A case has been referred to the Out of Hours team, who are monitoring the situation. The front of the premises has a covered outdoor area which has sides made from polythene sheets. When these are open, along with the front door, noise easily escapes. If a licence were granted, it is likely that noise levels would increase and so create more disturbance for residents.

With the possible increase in comings and goings, again we would suggest that due to the proximity of neighbours, disturbance would result well into the evenings.

Unfortunately, we do not believe this to be a suitable site for licensed premises and therefore request that the application be refused.

Thank you

Cllr Dave Rawson

RES 1

From: [REDACTED] >
Sent: 18 August 2023 15:13
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re: Reference: 291218/PW5

Good afternoon

I am writing to you to share my concerns over the proposed licensing of the Island Lounge.

I am a local resident and the noise in the evenings coming from this premises is extremely loud already.

The level of music is too loud as it disturbs our everyday lives. During the rare hot weather we had, we couldn't keep our windows open at night as the music was too loud and stopped us from sleeping. My children are in high school and were studying for their end of year exams but couldn't concentrate or sleep with the Island Lounge music. My husband works shifts and could not sleep due to the constant music blasting throughout the night. The loud music being played from the Island Lounge is affecting all of our lives in a negative way.

Even with the windows closed, the loud bass can be heard pumping throughout the evening and into the night. Alongside the loud music, the customers cheer and make ululation noises too, taking the volume up further.

Once the music eventually resides, the dispersal noise from the customers is also too loud. The customers park over the pavements outside neighbouring properties and enter their cars loudly, shouting to one and other down the road.

I am concerned that once Island Lounge obtains a license, adding alcohol will further escalate the noise and cause more of a disturbance to our neighbourhood.

I hope that you take this into consideration.

Kind regards

[REDACTED]