



Licensing & Out of Hours - Representation

Name	Mr. Gary Cook
Job Title	Licensing & Out of Hours Officer
Department	Licensing and Out of Hours
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	gary.cook@manchester.gov.uk
Telephone Number	0161 234 1220

Premises details

Application ref no.	MAU290919
Name of premises	The Fing Fing Cloud
Address	31 Bloom Street, Manchester, M1 3JE

Representation

Licensing and Out of Hours (LOOH) have assessed the impact of the grant of this application considering several factors, including the hours and activities applied for, the nature of the area in which the premises is located and any potential risk that granting the application could have on any of the four licensing objectives.

Licensing and Out of Hours (LOOH) have concerns that the grant of the application, in its current form, is likely to lead to all four of the Licensing objectives being undermined. The premises is located on Bloom Street within the Village area of Manchester City Centre. It is located near to many alcohol led premises which operate into the early hours of the morning, with domestic residents also living in the vicinity. The area experiences heavy footfall during the night-time economy, with intoxicated patrons moving between licensed premises.

A summary of the application is as follows.

Proposed hours and licensable activities:

Provision of late-night refreshment:

Monday to Sunday 2300hrs to 0300hrs

Films

Monday to Sunday 1000hrs to 0300hrs

Opening hours:

Monday to Sunday 1000hrs to 0300hrs

As a result of our assessment Licensing and Out of Hours have concerns regarding the scant operating schedule with no conditions offered by the applicant other than "Nothing beyond existing Health & Safety concerns." This demonstrates that the applicant may have no familiarity with the four licensing objectives.

In reaching this decision we have considered Manchester City Councils Statement of Licensing Policy 2021 – 2026 specifically:

MS1 Implement effective security measures at the premises

It is expected that all licensed premises have effective and appropriate security measures in place relevant to the style of operation.

7.2 In accordance with the section 182 Guidance, when setting out the steps they propose to take to promote the licensing objectives, applicants are expected to obtain sufficient information to enable them to demonstrate that they understand:

- The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises, and proximity to areas where children may congregate
- Any risk posed to the local area by the applicant's proposed licensable activities
- Any local initiatives (for example, local crime-reduction initiatives or voluntary schemes, including local taxi-marshalling schemes, street pastors and other schemes) that may help to mitigate potential risks

7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also, in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.

7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:

- Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise – Prevention of noise disturbance from people entering and leaving the premises (e.g. queue management, dispersal policy)
- Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)
- Disturbance caused by deliveries associated with licensable activities, including waste collection

Consideration has also been given to section 182 guidance specifically:

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

With a lack of detail provided within the application and for the aforementioned reasons LOOH recommend that the application is refused in its current form.

Recommendation: Refuse

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 290919
Name of the Premises	Fing Fong Cloud
Address of the premises including postcode	31 Bloom Street, Manchester M1 3JE

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 very little in terms of enforceable conditions. The conditions that have been offered are very vague and generic which 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.

Res 1

From: [REDACTED] >
Sent: 12 October 2023 13:51
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Reference: 290919 (PW/HH)

From: [REDACTED] >
Sent: 12 October 2023 14:02
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Reference: 290919 (PW/HH)

Dear Sirs,

I write further to the above application for the Fing Fong Cloud, 31 Bloom Street, M1 3JE

I would appreciate if you could take in to consideration my concerns over the above application

The building which the premises occupies sits in Manchester's Gay Village with many businesses operating under a late night alcohol licence.

Whilst the applicant is not seeking an alcohol licence there are concerns from our business of their applications impact on the area and this side of Bloom Street

- The prevention of crime and disorder

I have noted that the application is silent on the requirement of door staff. Our business is one of two open late on this side of the street and we both utilise door staff 7 days a week when trading to help prevent crime and disorder and anti-social behaviour. Given the applicant wants to open until 3am door staff should be required as if any disorder occurs given the close proximity of the business to ours, our door staff will feel they have a duty to intervene which will take them away from our own business and leave ourselves vulnerable and as we are a licenced venue we feel blame will passed to us as a licenced venue for any disorder on the street.

- Public Safety

Due to the late licence application this will cause some safety concerns. As a food venue potentially operating in to the early hours patrons will be naturally drawn to the building which would encourage gatherings not dissimilar to the takeaways further down Bloom Street and in turn result in antisocial behaviour not seen on our side of the street. Our business is also our home and the threat of anti social behaviour in the early hours is greater.

- The prevention of public nuisance

Some other concerns are the use of Deliveroo and other takeaway delivery services, these services will congregate on the public footpath from open until close and there are concerns this will cause not only congestion but also resentment from the public and result in anti-social altercations.

- The protection of children

The business by operating a dessert service will naturally attract minors to its premises. Bringing minors to the area which operates as an late night drinking destination for people of age is not something we would like to see encouraged.

Whilst we support new businesses opening in the area we do feel that given we have enjoyed the last 6 years without interruption, interference or nuisance in our operation we do feel the operators have not fully researched the area they are operating in and given consideration to the wider objectives set out in the licencing act.

I do hope my concerns will be taken in to consideration when considering the above application

Yours Faithfully

A solid black rectangular redaction box covering the signature area.

Res 2

From: [REDACTED] >
Sent: 13 October 2023 11:59
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Reference: 290919 (PW/HH)

From: [REDACTED] >
Sent: 13 October 2023 12:01
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Reference: 290919 (PW/HH)

Dear Sirs,

I write further to the above application for the Fing Fing Cloud, 31 Bloom Street, M1 3JE

I would appreciate if you could take in to consideration my concerns over the above application

The building which the premises occupies sits in Manchester's Gay Village with many businesses operating under a late night alcohol licence.

Whilst the applicant is not seeking an alcohol licence there are concerns from our business of their applications impact on the area and this side of Bloom Street

- The prevention of crime and disorder

I have noted that the application is silent on the requirement of door staff. Our business is one of two open late on this side of the street and we both utilise door staff 7 days a week when trading to help prevent crime and disorder and anti-social behaviour. Given the applicant wants to open until 3am door staff should be required as if any disorder occurs given the close proximity of the business to ours, our door staff will feel they have a duty to intervene which will take them away from our own business and leave ourselves vulnerable and as we are a licenced venue we feel blame will passed to us as a licenced venue for any disorder on the street.

- Public Safety

Due to the late licence application this will cause some safety concerns. As a food venue potentially operating in to the early hours patrons will be naturally drawn to the building which would encourage gatherings not dissimilar to the takeaways further down Bloom Street and in turn result in antisocial behaviour not seen on our side of the street. Our business is also our home and the threat of anti social behaviour in the early hours is greater.

- The prevention of public nuisance

Some other concerns are the use of Deliveroo and other takeaway delivery services, these services will congregate on the public footpath from open until close and there are concerns this will cause not only congestion but also resentment from the public and result in anti-social altercations.

- The protection of children

The business by operating a dessert service will naturally attract minors to its premises. Bringing minors to the area which operates as an late night drinking destination for people of age is not something we would like to see encouraged.

Whilst we support new businesses opening in the area we do feel that given we have enjoyed the last 6 years without interruption, interference or nuisance in our operation we do feel the operators have not fully researched the area they are operating in and given consideration to the wider objectives set out in the licencing act.

I do hope my concerns will be taken in to consideration when considering the above application

Yours Faithfully

[Redacted signature]

[Redacted name]

[Redacted contact information]

Registered Office – [Redacted]
Company Number [Redacted]
From: [Redacted] >

Sent: 13 October 2023 14:20

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

Subject: Re: Reference: 290919 (PW/HH)

Good Afternoon,

My address is

[Redacted address]

Kind regards

[Redacted signature]