

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
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Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 295344
Name of the Premises	Insomnia Cookies
Address of the premises including postcode	222 Wilmslow Road, Manchester M14 6LF

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 variation 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 late night refreshment until 0100 hours on Sunday and Monday and until 0400 hours the rest of the week.

The Wilmslow Road corridor suffers from littering, noise disturbance and other anti-social behaviour and to allow another late night premises in this area is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The area where the premises are situated was, until recently, subject to a Cumulative Impact Policy due to the problems in the area, many of which are noise, littering and anti-social behaviour related.

A new Special Policy for Fallowfield has recently been consulted on and will be introduced in the very near future so it shows that there are still serious issues within the area which resulted in the first policy being introduced back in 2013.

GMP are concerned that by allowing this premises to be able to trade into the early hours of the morning will mean that there is yet another focal point for congregation and another source of late night littering, which the area is blighted with.

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



Licensing & Out of Hours Compliance Team - Representation

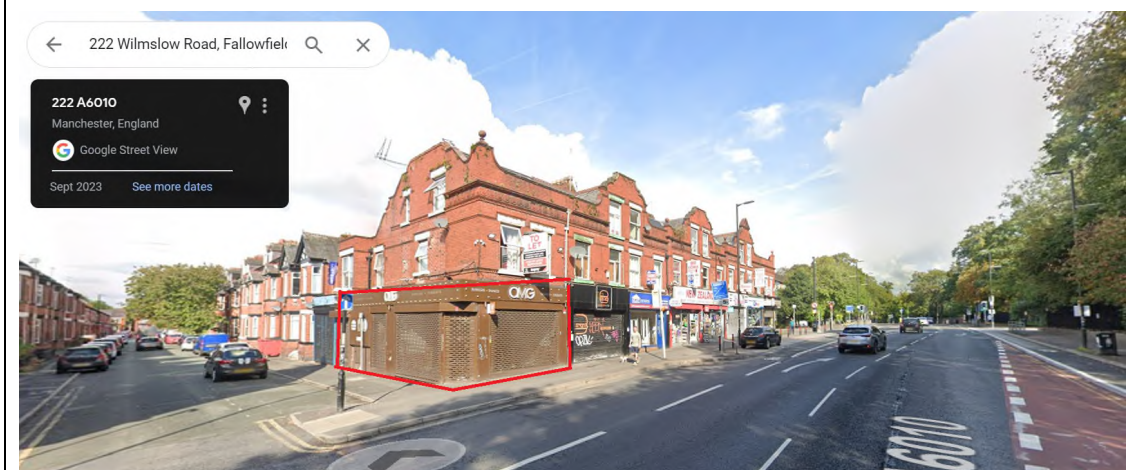
Name	Stuart Alderson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

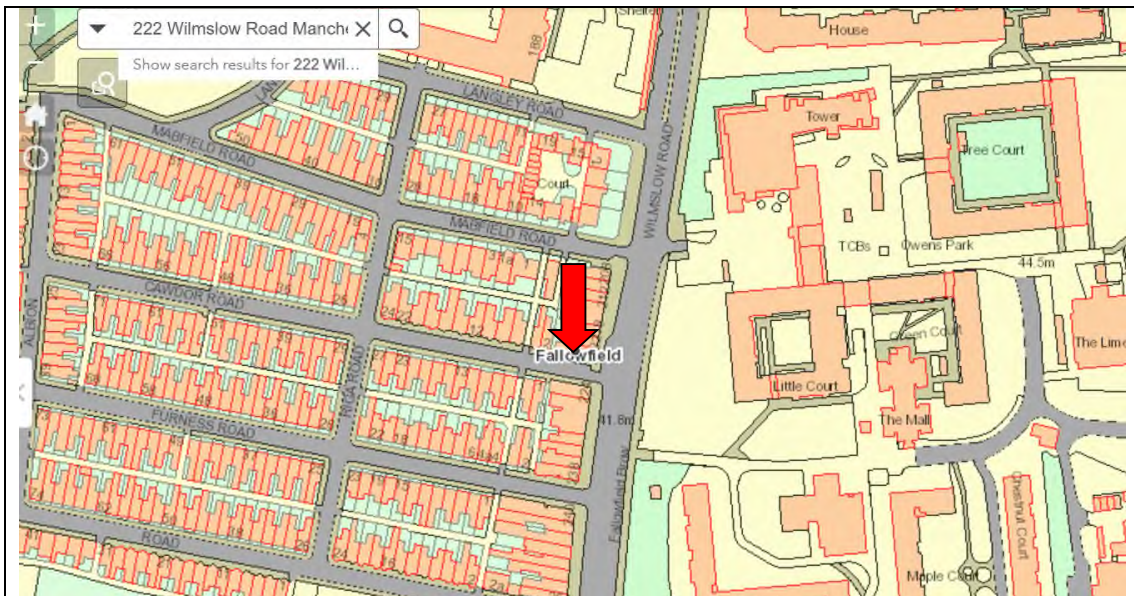
Premise Details	
Application Ref No	REF M295344
Name of Premises	Insomnia Cookies
Address	222 Wilmslow Road, Manchester, M14 6LF

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 have assessed the likely impact of granting the new licence to Insomnia Cookies, taking into account a number of factors, and the licensing objectives, having particular regard to the prevention of public nuisance.

The Licensing and Out of Hours (LOOH) team has considered Manchester City Council's Statement of Licensing Policy 2021-2026 with particular reference to sections 7.26, 7.32 and 7.33.





This premises is positioned on the Fallowfield Brow portion of Wilmslow Road. Above and behind the premises are residential properties and opposite is Owen Park student campus. Fallowfield has a significant number of existing food takeaway venues, which has led to the issues associated with street litter and cleansing in the local area. The operating nature of the business and this application proposes nothing that gives any reason why it would not add to pre-existing issues of cumulative impact. It is submitted that granting this application would be likely to worsen the existing issues.

The likelihood is that discarded takeaway food wrappers will be discarded beyond the immediate vicinity of the premises as customer walk home and so the proposed steps in the operating schedule would not be effective. Issues of cleanliness and the ongoing issues with litter are a concern for residents and we have concerns that the grant of this licence would worsen public nuisance issues they experience.

The proposed operating schedule and operating policies lack specificity for the site and does not take into consideration issues specific to this area. As such we have reservation on their likely effectiveness, as a result.

The application states *"We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours"*. This will not be achievable with the type of premises that fly posts illegally on street furniture in the local area. The picture below is from Fallowfield town centre, and this poster was one of many in the area.



The hours applied for 11pm and 4.00am Tuesday to Saturday and 11pm to 1am Sunday and Monday appear excessive considering the premises is within a residential area and the nature of the products sold. Even the city centre branches of insomnia cookies do not open this late, closing at 3am at the latest. Noise from people entering and leaving the premises and from people congregating outside the premises as late as 4am is likely to cause disturbance to the residents living above the premises nearby.

Considering Manchester City council's statement of licensing policy 2021-2026 states in section 7.33 " *Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence.* " 4am is excessive.

Section 7.26 of the statement of licensing policy states

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 disturbance from people entering and leaving the premises (eg. queue management, dispersal policy)*
- Prevention of disturbance by people outside the premises (eg. smoking areas)*
- 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*

and section 7.32 states, *Therefore, where its discretion is engaged, the authority will be mindful of the density*

of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

The application does little to address potential noise nuisance stating, *“The entrance doors are self-closing and customers shall be encouraged to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.”* Asking staff to encourage loud, difficult, and intoxicated customers to be quiet when they are busy working does not seem achievable. Dealing with groups of loud customers congregating outside the premises as late as 4am will be even more of a challenge and sufficient staff or security personnel will have to be provided manage this.

In relation to staff training the application states *“All shift managers have safety and security training and the need for door staff shall be risk assessed”*. We have concerns that no details of the staff training have been provided as to how it will be delivered, documented or how frequently it will be refreshed. Also no details have been provided of how the requirement for door staff will be assessed, calculated or how this process will be documented and is unenforceable as a licence condition in its current offering. Why limit the staff training to managers? Would it not be best to train all staff as what happens if there is no manager available to work on any given day?

CCTV will need to be made available to all responsible authorities, not just the police, and there should be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable.

The application states


“Insomnia Cookies will sell products on-line but intend to use employed delivery drivers to minimise the risk of nuisance. Where third party delivery services are used, Insomnia Cookies will work with them to ensure they minimise any potential nuisance.” This does not detail how they will avoid causing a nuisance and no enforceable conditions or policy have been provided within the application as to how they achieve this. The limited availability of parking outside the premises means that for delivery drivers to park legally they will have to park on residential side streets outside resident’s properties. Noise from delivery drivers waiting, congregating, chatting, engines running, playing music and opening/closing doors

until 4am is likely to cause noise nuisance to the nearby residents.

In relation to protecting children from harm the application states, *Insomnia Cookies do not anticipate that unaccompanied children will use the premises in the extended hours covered by this licence. We do however take their safety extremely seriously and will ensure that they are protected from harm at all times when visiting Insomnia Cookies.*


We do not believe this is sufficient or an enforceable as a licence condition. The products offered for sale by insomnia cookies are the kind that appeal to children and possibly vulnerable adults. As such the premises should have a written policy for Safeguarding Children and vulnerable adults.

In summary, we do not believe the grant of this application is likely to promote the licensing objectives but, conversely, it is likely to add to the problems already existing in this area. Therefore, the application should not be granted.



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Sunday	11:00 AM - 01:00 AM	Sunday	11:00 AM - 01:00 AM
Monday	11:00 AM - 01:00 AM	Monday	5:00 PM - 01:00 AM
Tuesday	11:00 AM - 01:00 AM	Tuesday	5:00 PM - 01:00 AM
Wednesday	11:00 AM - 01:00 AM	Wednesday	5:00 PM - 01:00 AM
Thursday	11:00 AM - 03:00 AM	Thursday	5:00 PM - 03:00 AM
Friday	11:00 AM - 03:00 AM	Friday	5:00 PM - 03:00 AM
Saturday	11:00 AM - 03:00 AM	Saturday	11:00 AM - 03:00 AM



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Delivery Hours

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Monday	10:00 AM - 01:00 AM	Monday	10:00 AM - 01:00 AM
Tuesday	10:00 AM - 03:00 AM	Tuesday	10:00 AM - 01:00 AM
Wednesday	10:00 AM - 01:00 AM	Wednesday	10:00 AM - 01:00 AM
Thursday	10:00 AM - 03:00 AM	Thursday	10:00 AM - 03:00 AM
Friday	10:00 AM - 03:00 AM	Friday	10:00 AM - 03:00 AM
Saturday	10:00 AM - 03:00 AM	Saturday	10:00 AM - 03:00 AM



Testing message on the locations page.

Recommendation:

Refuse Application

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF, (Fallowfield ward)

[REDACTED]

Dear Sirs

Please find attached submission on behalf of Withington Civic Society to the above application

[REDACTED]

Application Type: Premises Licence (new)

Reference: 295344/BJ1

Premises: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Applicant: Insomnia Cookies UK Limited

General description of premises as given by the applicant:

Bakery selling sweet treats including hot drinks and warm cookies for consumption on and off the premises.

Proposed hours and licensable activities:

Provision of late-night refreshment:

Sun to Mon 11pm to 1am

Tue to Sat 11pm to 4am

The provision of late-night refreshment will take place both indoors and outdoors.

Opening hours:

Sun to Mon 10am to 1am

Tue to Sat 10am to 4am

Response on behalf of Withington Civic Society Planning Group

Withington Civic Society Planning Group **opposes the application.**

We believe, according to research previously carried out by Manchester City Council, that Fallowfield already suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas. Indeed, sadly a student was murdered on Wilmslow Road in October 2022 in the early hours only yards from these premises. The degree of antisocial behaviour recorded in the area is also significantly disproportionate. Antisocial behaviour levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

Complaints from local residents about antisocial behaviour 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.

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

From: Fallowfield Community Guardians <fallowfieldcgs@gmail.com>

Sent: 06 December 2023 07:54

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

Subject: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Dear Sirs

We are writing on behalf of Fallowfield & Withington Community Guardians and South East Fallowfield Residents Group. We wish to strongly object to this application for a late night licence to sell hot drinks and cookies until 4am. The Special Policy for Fallowfield gives a presumption against any new late night licences unless there are exceptional circumstances. There's nothing exceptional here. We do not consider the provision of late night hot drinks and cookies will add anything but additional problems to the residents who live in our residential suburb.

Just one year ago a student lost his life in the early hours of a Wednesday morning just metres away from these premises. Stabbed to death as he walked home from a party - the killing that brought terror to Manchester's studentland

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/stabbed-death-walked-home-party-26902506>

The night economy in Fallowfield contributes to many problems in our neighbourhood . As residents we no longer feel safe doing late night walkabouts. In past years members of our group used to occasionally do a walkabout in Fallowfield District Centre. During these walkabouts we always discovered many breaches of licence conditions as well as witnessing distressing scenes, anti-social behaviour, drug activity, rowdy behaviour and vandalism.

Our neighbourhood needs to become more balanced in many ways including retail provision. There are already in excess of 50 licensed premises in Fallowfield District Centre. Many of these contribute significantly to public nuisance including copious amounts of litter from takeaways and alcohol. Neighbourhood budgets have been cut back so we only have one pedestrian orderly and the task of street cleansing in Fallowfield needs much more than this. Consequently our district centre is awash with takeaway litter and looks neglected and scruffy..Residents in our group do what we can to report issues as well as tending for tree bases and container planters. We get overwhelmed with what we have to put up with.

Whilst the sale of cookies and hot drinks may seem harmless enough, we know that they will help fuel energy levels of late night patrons dispersing from the clubs, pubs and bars in the area. We consider that another late night premise will add to the problems of public nuisance. The very large number of students who tend to be the main users of the night economy here are concentrated in halls of residence on the University campus opposite (with plans in process to add another 2000 to the campus). Thousands more live in the streets near us. Wonkhe statistics report more than 11 000 students living in the M14 6 postcode (<https://wonkhe.com/blogs/the-start-of-term-is-not-just-a>

problem-for-universities/). This concentration makes life here very difficult. We get woken up by their shouting and screaming as they go out (11pm-midnight) and then on return at 2am-4am. We do not want more rubbish, more noise or more late night premises.

We feel the licensing objectives will be undermined if this premises is granted a late night licence. We can see no reason to depart from the Special Licensing Policy.

We ask you to refuse this application. The applicant is able to trade until 11pm without a licence which in our view would be the latest acceptable opening time.

Yours

A black rectangular redaction box covering the signature of the community guardians.

Fallowfield & Withington Community Guardians

A black rectangular redaction box covering the signature of the community guardians.

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

From: [REDACTED]

Sent: 07 December 2023 09:14

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

[REDACTED]
[REDACTED]
Subject: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Your Ref: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

To whom it may concern;

I am a long-term resident [REDACTED] and I am objecting this application for a late-night licence to sell hot drinks and cookies until 4am.

These premises (Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF, that is) are situated on Wilmslow Road, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself [REDACTED] and local residential properties and is also in an area where there is a plethora of bars, public houses & off licenses (in point of fact, in excess of 50 x licensed premises in the Fallowfield District Centre) and one of the largest student populations in Europe.

This application for late-night licence to sell hot drinks and cookies until 4am, is beyond belief. As stated, in the previous statement, the area is awash with off late-night premises. We do not need yet another late-night joint, at all, period (at any opening hour window that is) and no matter what it is.

“Insomnia Cookies” is just yet another feckless outfit, out to exploit the overloaded rafts of transients in the community (the greater percentage being students) which account for 90% of folk in 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) and directly behind this establishment.

My comments over the many years have been typed out and voiced. The “Go-Local” store/off licence objection that I read out at the hearing was taken up by an MEN reporter and featured in an article on 02-02-23, with the headline:-

‘Our neighbourhood is now a drunken, drugged up 24-hour party place not fit for humans’

Here’s the link:-

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/our-neighbourhood-now-drunken-drugged-26141012>

This area [REDACTED] has become 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.

I've many examples, many videos, many sound recordings of it all.

A cookie purchased at such an establishment, served up to this drunken zombified mass, that totters around the "**Fallowfield Brow area**" with an already super maxed out cocktail of Ketamine, Cocaine & Cannabis, washed down with 7 x pints of cooking lager (consumed in one of the numerous drinking emporiums on "The Brow") onboard, is only going to add fuel to this out-of-control mayhem.

The consumed cookie then, is only fuelling energy levels in this drunken zombified mass and therefore creating an even larger beast, adding to the already overwhelming problems of public nuisance in and around the area and adding additional levels of noise nuisance on the surrounding residential streets [REDACTED], with its shouting, screeching, hollering and yelling and often until 6am in the morning.

The fresh Special Policy for Fallowfield gives a presumption ***against*** any new late-night licences, unless there are exceptional circumstances. Provision of a late-night cookie from this establishment, is not an exception. As already over endorsed in this objection, a late-night hot drink and cookie is only going to add to the already overwhelming suffering to the residents who live in this residential suburb.

I would be very grateful if the good members of the committee, could consider these points,

Yours sincerely,

[REDACTED]
[REDACTED]

Objection to application Insomnia Cookies Ref 295344/BJ1

[REDACTED]
Fri 08/12/2023 18:21

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

You don't often get email from simonapllew1@btinternet.com. [Learn why this is important](#)

Dear Sir/Madame.

Although the sale of cookies and hot drinks may seem fairly innocuous, I firmly believe that the overall impact will be to the area's detriment. Selling the products will help to fuel the energy levels of those late night patrons dispersing not only from the clubs, pubs and bars in the area but also of those returning from similar venues in the city centre. I consider that yet another late night premise will exacerbate the problems of **public nuisance**.

One of the main causes of public nuisance in the area are the very large number of students who tend to be the main users of the night economy in the vicinity who are concentrated in the streets next to the proposed site for Insomnia Cookies which is also directly opposite the halls of residence on the University campus. Indeed Wonkhe statistics report more than 11 000 students living in the M14 6 postcode (<https://wonkhe.com/blogs/the-start-of-term-is-not-just-a-problem-for-universities>)

Sent from my Galaxy

Such a concentration means life for permanent residents in the area is very difficult. Myself and other residents get woken up by their shouting and screaming as they go out (11pm-midnight) and then on return at 2am-4am. Yet another late night food outlet in the area will, I believe inevitably lead to yet more litter and yet another increase noise.

There is also the fact that not all patrons of the late night food outlets are from area, cars [REDACTED] [REDACTED] park and play loud music while eating takeaways, with their occupants throwing their rubbish and leftover food onto the pavement or road.

Furthermore the night economy in Fallowfield contributes to significantly more problems than just noise and rubbish strewn along the area known as The Brow, [REDACTED]. As a resident of thirty five years [REDACTED] I no longer feel safe at night venturing more than a few metres beyond my front door. When I did venture along Wilmslow Road and the immediate vicinity of the premises it was the norm to observe many breaches of licence conditions, combined with with recurring scenes of anti-social behaviour; including illegal drug activity, shouting and urinating in the streets and rubbish, including food waste, being persistently discarded [REDACTED].

The locality clearly needs a more balanced retail provision. Currently the area along Wilmslow Road (approximately 150 metres) between Landcross Road and Mabfield Road has nine licensed premises not including the three Off Licences. Additionally there are already in excess of 50 licensed premises in Fallowfield District Centre, many of which contribute significantly to public nuisance including; copious amounts of litter from takeaways and discarded alcohol containers. I have on occasions carried out a litter pick at the Wilmslow Road end [REDACTED], but with no lasting impact. The locality as has the wider area of Fallowfield become not just scruffy but dirty and at times is like living near a rubbish dump.

In the light of the above I feel the current licensing objectives will be undermined if this premises is granted a late night licence. I see absolutely no reason to depart from the Special Licensing Policy.

As a resident I ask you to refuse this application. Given the applicant will be able to trade until 11pm without a licence this, in my view, would be the latest acceptable opening time.

Yours faithfully

[Redacted signature block]