



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

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**Premise Details**

Application Ref No	M/294606
Name of Premises	Iceburg
Address	25-27 Wilmslow Road, Manchester, M14 5TB

**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.

Licensing and Out of Hours (LOH) have assessed the likely impact of the grant 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 risk that the granting of this application could have, taking into account the licensing objectives Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children From Harm.

25-27 Wilmslow Road is a corner premises at the junction of Wilmslow Road and Brooklyn Road. The area is a mix of commercial premises and residential houses and flats. commercial properties.

In this current application the applicant has offered conditions with regard to the licensing condition 'Prevention of Crime and Disorder, that are vague and effectively water down the importance of licence conditions. For example: 'Employing competent additional staff' and 'Staff training on restricted area within the restaurant for customers and children' – these conditions are ambiguous in nature and not clear, precise, or enforceable, as per S1.16 of the S182 guidance. The applicant has provided limited conditions relating to Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

S7.2 of Manchester City Council's Statement of Licensing Policy states '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.

S7.17 of Manchester City Council's Statement of Licensing Policy states Proximity of takeaways and off-licences to nightlife entertainment areas. Such premises typically lack the type of design and management provisions necessary to process the custom of a large intoxicated late-night customer base and may act as flashpoints for alcohol-related crime and disorder. Additionally, there is a risk of staff being subjected to threatening behaviour, physical violence, and property damage. Operators are encouraged to consider conflict management training and/or employment of door supervisors, where appropriate. However, where the authority's discretion is engaged, consideration may be given to restricting hours of operation.

In summary LOH have concerns how the premises will be operated, the applicants understanding of the Licensing Act 2003, the lack of consideration for Manchester City Councils Statement of Licensing policy in particular the sections outlined above and have no confidence that the four licensing objectives will be upheld.

Due to the above concerns and the poor nature of the application LOH recommend that the application be refused.

Recommendation:

Refuse Application