



Licensing & Out of Hours Compliance Team - Representation

Name	Steven Titterton
Job Title	Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.titterton@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No	REF 226189LD2
Name of Premises	Q Plus Tropical Taste Restaurant
Address	1038 Ashton New Road, Manchester, M11 4PE

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 the grant of this new premise licence taking into account a numbers 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 lead to undermining the prevention of public nuisance as a licensing objective under the Licensing Act 2003.

The LOOH team have also given consideration to Manchester City Council's Statement of Licensing policy, in particular S7.25 in relation to the proximity of the premises to local residents and other local businesses particularly in relation to the potential for nuisance.

'Where premises are in the direct vicinity of local residents properties, and where discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.'

The premise is located on a very busy arterial route in and out of Manchester City Centre and has residential properties above, to the side, rear and opposite, please see attached map of the location in relation to the nearby residential properties, the premise is the black dot:

Section M of the application allows the applicant to describe the steps in which they will promote the licensing objectives, the applicant does not show that they have a full understanding of the 4 licensing objectives as they seem to have put a lot of duplicated information in all sub sections which relates to CCTV, Door supervision, and alcohol sales and does not take into account anything relating to prevention of public nuisance in the form of noise break out from music or from customers inside, congregating outside, any dispersal policy or policy relating to outside area in the late hours applied for.

According to the records held by the premise licensing team the property previously had a premise licence until 06/11/2018 in the name of Palms, the previous licence lapsed due to the licence holding company being dissolved and although there is no links between the old owner and the new applicant, the new applicant makes reference in the application in part 3 of the operating schedule that they want to operate the premise in line with the previous premise known as Palms. The previous premises licence had 26 conditions attached to it, 22 conditions were added to the licence after an hearing by the licensing authority.

So based on the above information I would recommended the application being approved with slight amendment to the operating schedule to allow them to :

Open to the public

Sun –Thurs 1100 to 2300
Fri - Sat 1100 to 0100

To supply alcohol

Sun – Thurs 1100 to 2230
Fri – Sat 1100 to 0030

To provide late night refreshments

Fri – Sat 2230 to 0030

To play recorded music only

Sun – Thurs 1100 to 2230
Fri – Sat 1100 to 0030

I would also request that the following conditions are added to the Licence in line with the previous licence held at the premise

1. All windows and external doors shall be kept closed between 19:00 and close, except for immediate access and egress of persons.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to nuisance.
3. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.

4. The licence holder shall enter into an agreement with a taxi company to provide transport for customers. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.
5. Alcohol shall only be sold to persons as ancillary to food.
6. All customers shall be seated.
7. Alcohol shall be supplied by waiter/waitress service only.
8. Alcohol shall not be taken off the premises.
9. Any person who appears intoxicated shall be refused entry to the premises.
10. No glassware to be collected from the premises or to be disposed of into outside waste receptacles between 2200 and 0800.
11. Staff shall ensure patrons do not congregate outside the premises causing a nuisance to nearby residents.
12. Signs requesting that customers leave the premises quietly having respect for nearby residents shall be displayed at the exit.
13. Staff shall regularly clean (and endeavour to keep clear of litter) the area immediately in front of the premises.
14. No children under the age of 16 years shall be on the premises after 20:00.
15. No persons under the age of 18 years shall be on the premises after 2100 unless accompanied by an adult over 18 years of age.
16. A refusals book containing records of instances/persons who have been refused the supply of alcohol on the basis of their perceived age shall be compiled and maintained.
17. Staff shall use their best endeavours to ensure that customers using the outside smoking area shall not cause a noise nuisance to nearby residents.
18. The restaurant shall be restricted to 40 covers.
19. The last orders for food shall be taken by 2345 hours on Friday and Saturday Nights.
20. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All areas to which the public have legitimate access must be sufficiently illuminated for the purpose of CCTV. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard

personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

The Licensing and Out of Hours Team consider the conditions 'appropriate and proportionate' to uphold the licensing objectives.

Recommendation: Approve with Conditions (Outlined Above)

Fwd: Notice of hearing re 226189MC3: Premises Licence (new) Q Plus
Tropical Taste Restaurant, 1038 Ashton New Road M11 4PE

----- Forwarded message -----

From: **Steven F Titterton** <s.titterton@manchester.gov.uk>

Date: Tue, 19 Mar 2019 at 19:26

Subject: Fwd: Notice of hearing re 226189MC3: Premises Licence (new) Q Plus
Tropical Taste Restaurant, 1038 Ashton New Road M11 4PE

To: Premises Licensing <premises.licensing@manchester.gov.uk>,
<eydoh@hotmail.com>, <alan.isherwood@gmp.police.uk>

Dear Premises Licensing, could you please put on record that an agreement has been made between the applicant and Licensing and Out of Hours team in line with the representation submitted.

Open to the public
Sun –Thurs 1100 to 2300
Fri - Sat 1100 to 0100

To supply alcohol
Sun – Thurs 1100 to 2230
Fri – Sat 1100 to 0030

To provide late night refreshments
Fri – Sat 2230 to 0030

To play recorded music only
Sun – Thurs 1100 to 2230
Fri – Sat 1100 to 0030

and to also include the below conditions to the premises licence if granted.

1. All windows and external doors shall be kept closed between 19:00 and close, except for immediate access and egress of persons.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to nuisance
3. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.
4. The licence holder shall enter into an agreement with a taxi company to provide transport for customers. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.
5. Alcohol shall only be sold to persons as ancillary to food.
6. All customers shall be seated.
7. Alcohol shall be supplied by waiter/waitress service only.
8. Alcohol shall not be taken off the premises.

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Please note that Licensing and Out of Hours will not be attending the hearing.

Kind regards
Steve Titterton

----- Forwarded message -----

From: **raymond EYDOH** <eydoh@hotmail.com>

Date: Tue, 19 Mar 2019 at 12:33

Subject: RE: Notice of hearing re 226189MC3: Premises Licence (new) Q Plus
Tropical Taste Restaurant, 1038 Ashton New Road M11 4PE

To: Steven F Titterton <s.titterton@manchester.gov.uk>

Dear Mr Titterton

Thank you for your quick response,

My answer is YES. I confirm that i am also happy with the proposed hours

Regards

Nimba Edi

Sat, 16 Feb 2019 at 11:47, [REDACTED] wrote:

On 14/02/2019 16:24, Premises Licensing wrote:

**Licensing Act 2003 (Premises licences and club premises certificates)
Regulations 2005**

Application Type: Premises Licence (new)

**Premises: Q Plus Tropical Taste Restaurant, 1038 Ashton New Road,
Manchester, M11 4PE**

Further to our previous e-mail, please be advised that the consultation period for the above application has been restarted as the application was not advertised correctly.

Please note that the applicant has also submitted amended licensable activity timings in respect of the provision of regulated entertainment (recorded music) and for the supply of alcohol for consumption both on and off the premises. The applicant has also submitted amended operating times for the premises.

The new date by which representations must be received is **14/03/2019** and any representations received prior to this e-mail must be resubmitted.

Yours sincerely

Bryan Johnson
Premises Licensing Team

Premises Licensing
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk
Web: www.manchester.gov.uk/licensing

Tell us how we're doing with our [online feedback form](#)

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This footnote also confirms that this email message has been swept for the presence of computer viruses.

Please contact internet.administrators@manchester.gov.uk with any queries.

My objection still stand. We do not need or want any more food outlets on Ashton New Road. Can you for once listen to and act on the concerns for the local residents who a least deserve some respite from the noise, the smell of fried greasy food and the food and litter that is left outside our houses.

[REDACTED]
Date: Mon, 11 Feb 2019 at 13:04

Subject: Objection to Licence Application 1038 Ashton New Road Clayton
Manchester M11 4PE

To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>

Licence application for 1038 Ashton New Road, Clayton, Manchester, M11 4PB

Hi, here we go again. This is getting like ground hog day. This premises has gone beyond a joke. It seems like once a year somebody applies for a licence or planning permission to alter it or extend the licensing hours. This shop has been nothing but trouble since it was first allowed to open as a fast food outlet (against the wishes of the local residents)

How can a food outlet that is no more than 30yds from its nearest residential property even consider asking for license to play music anywhere from 9am in the morning through till 00:30 the following day. The last time this was allowed to happen if the music stopped before 3am in the morning we were lucky. I have lost count of how many times I have walked past it and seen people urinating against the shop wall because they could or would not go back into the premises to the toilets in there.

There is also the question of (still) why is there so many fast food outlets in such a small area eight at least and that is without crossing Edge Lane into Tameside where there is five more? Do we need any more? Do we want anymore? The answer is no!

Why should the residents of Ashton New Road, Dargia Street and Ralph Street have to put up with this noise pollution? Sleep deprivation is a form of torture. How can the council even consider inflicting the on the local residents once again?

IU strongly object to the premises once again being used for the purpose of serving food and playing music

Yours

[REDACTED]

From: <webfeedback@manchester.gov.uk>

Date: Mon, 18 Feb 2019 at 12:35

Subject: Make representation to a licensing or gambling application

To: <premises.licensing@manchester.gov.uk>

Question	Response
<i>First name:</i>	
<i>Last name:</i>	
<i>Building number or name:</i>	
<i>Street:</i>	
<i>Area:</i>	
<i>Postcode:</i>	
<i>Email :</i>	
<i>Application reference number:</i>	
<i>Premises name (if known) and full address this representation relates to:</i>	QPlus tropical taste restaurant & Bar 1038 Ashton new road M114pe
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	<p>I / we local residents do not want this to open as another restaurant or more like a She been.....as was with the previous tenants PALMS Restaurant.,,. They abused the licensing rules.. Hours of opening and noise.</p> <p>We actually had the licensing out of hours team here as I was wakened up to the racket/music.....case number566443. This is residential area.houses and flats above the shops/takeaways..there are 3 flats above this so - called restaurant.....</p> <p>This restaurant is not wanted. I object most profusely. Its been very nice and quiet and can have in disturbed sleep.....</p>



Premises Licensing <premises.licensing@manchester.gov.uk>

Fw: Premises License

1 message

contact@manchester.gov.uk <contact@manchester.gov.uk>

22 February 2019 at 08:50

Reply-To: contact@manchester.gov.uk

To: premises.licensing@manchester.gov.uk



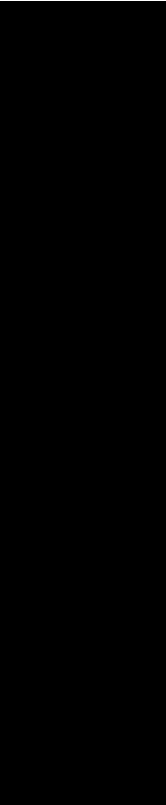
Hi Team,

Please see objection below

Thanks

Email sent by: Danielle McCluskey

----- Forwarded by SWCP-Contact on 22/02/2019 08:49 -----



22/02/2019 08:48

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>----->

Manchester City Council <contact@manchester.gov.uk>

| To |

| cc |

| Subject |

Premises License

|
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>---|
| |
>---|

Hello there,

I am objecting to the premises License attached on the ground thats it is basically a night club in disguise.
This night club will disturb residents on Ashton New Road and the surrounding streets as has done in the past as previous usage as a restaurant come night club. We also are experiencing problems from the previous owner who now has a restaurant on Ashton New Road playing loud music and throwing parties every night. Please keep me updated.

Kind regards,



(See attached file: DSC02355.JPG)



DSC02355.JPG
7254K

Against

plus Tropical Taste
Restaurant & Bar
1038 Ashton New Rd
MM/LPE Manchester

To Whom it May Concern.

My husband and myself are not
happy about Tropical Taste &
Restaurant & Bar opening.

This has been open before by
other person's and was terrible
Loud music, rubbish, cars;
Unill early morning people shouting
and screaming. We are in our
late 70's and donot want or
need these premises opening.

Yours Sincerely

RECEIVED

15 FEB 2019

PREMISES TEAM