



**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:



The applicant has applied to open the premise on

Sun –Thurs 0900 to 2300  
Fri - Sat 0900 to 0100

---

To supply alcohol

Sun – Thurs 1000 to 2230  
Fri – Sat 1000 to 0030

---

To provide late night refreshments

Fri – Sat 2230 to 0030

---

To play recorded music only

Sun – Thurs 1000 to 2230  
Fri – Sat 1000 to 0030

---

Section K of the application asks the applicant to highlight if any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children:

The applicant has filled this section with information relating to Challenge 25, staff training on Challenge 25, underage sales, drunkenness and drugs and anyone under 18 will be accompanied by an adult, this is not what this section is intended for and anything offered in this section would not be included in any conditions attached to the premise licence if granted and demonstrates that the applicant has no understanding of the form.

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)