

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> 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.	<b>LPV 233651</b>
Name of the Premises	<b>Mr Thomas' Chop House</b>
Address of the premises including postcode	<b>52 Cross Street, Manchester M2 7AR</b>

## Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the variation 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 on the grounds of Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety

The Saints Ann's square area of Manchester City centre, where the outside area is situated is a big problem for GMP in relation to street drinking and alcohol related anti-social behaviour.

We are extremely concerned that the presence of an outside bar is likely to attract more issues into the area and we believe that the outside bar will be vulnerable to street drinkers and will potentially see issues of them attempting to steal alcohol from the bar and hanging around waiting for the bar to be left unattended.

Therefore this will increase the demand on the local policing team who work in this area and will undermine the Licensing Objectives.

As such we would ask that this variation is refused.

From: [REDACTED]  
Date: Wed, 17 Jul 2019 at 11:34  
Subject: Mr Thomas's Outdoor Seating Area Licensing Application  
To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>  
Cc: [b.cain@manchester.gov.uk](mailto:b.cain@manchester.gov.uk) <[b.cain@manchester.gov.uk](mailto:b.cain@manchester.gov.uk)>

Dear Licensing Committee Members,

We have considered the application for an outside bar at the outdoor seating area of Mr Thomas's Chop House which is in the Churchyard of St Ann's Church. This email is to register the Church's concerns on the following grounds:

1. The outdoor seating area is currently without planning permission and has never received the requisite Church planning approval ('Faculty') which would be granted by the Consistory Court of the Diocese of Manchester. The area is not subject to the controls allowed by the usual seating and chairs licence as, being Churchyard, the land is not 'highway' as defined by the Highways Act.
2. Since the Parochial Church Council (PCC) last approved a scheme for the outdoor seating in 2010 (a Faculty Application by the City which failed) the area occupied by the seating has become larger. This increases the problems mentioned in (3) below.
3. Overall, there is a concern that drinkers using the seating area cause too much noise, especially when we have a warm summer evening and drinkers enjoying the sun and the environment are apt to be noisier than at other times. The seating area is surrounded by buildings on all sides and this leads to a noisy booming effect at busy times inside the church. An external bar would increase the quantity of drink being consumed in an expanded outside seating area. We believe this would increase the noise level inside the Church., interfering with services and concerts or other activities.
4. There is no Faculty in place for an outside bar, nor has any application been submitted. If a bar was put in place and utilised then the Church Council would be forced to seek a Faculty to force its removal. We would hope to avoid that outcome.

Mr Roger Ward, proprietor of Mr Thomas's Chop House, and I are in agreement that we and the City should come to an agreement about the future use of the Churchyard, including the outdoor seating area being used by Mr Thomas's. This agreed plan would then be put forward

for local authority planning permission and the Church's parallel planning control system through the Consistory Court. It may be that than an outside bar could form part of this scheme but from our side we would need to be convinced that this would be appropriate. I understand the operational convenience for the pub in having the external bar but we do need to recognise that the Churchyard is consecrated land and cannot be treated as though it was not. St Ann's Church is an important public resource which should not be spoiled by excessive noise from neighbouring outdoor licensed premises.

With my best wishes,

A solid black rectangular redaction box covering the signature of the sender.



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

Name	Bob Cain
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	b.cain@manchester.gov.uk
Telephone Number	0161 234 1220

**Premise Details**

Application Ref No	233651
Name of Premises	Mr Thomas's Chop House
Address	52 Cross Street, Manchester, M2 7AR

**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 granting of this application taking into account a number of factors, including the nature of the business, location of the premise, the Councils Statement of Licensing Policy 2016-2021 and any potential risk that the granting of this variation will undermine the Council Licensing Policy including the four licensing objectives of public nuisance, crime and disorder, protection of children from harm and public health.

The premises is located on Cross Street in the City Centre, the surrounding area is a mix of commercial properties including, restaurants, shops, offices and bars. The internal use of the premise is food led with a small bar area. There is a large seating area at the rear of the venue next to St Ann's Church and near to St Ann's square, this area is accessible through a side door located on St. Ann's Alley.

The applicant has applied to:

License and install a bar on the external seating area which is located on St Ann's Church yard at the junction of St Ann's Alley and backs on to St Ann's Church as shown in **Exhibit BC1**

Vary the layout and design of the premises in accordance with the plan submitted (drawing no 203007 Rev A) as shown in **Exhibit BC2**

The applicant has offered the following two conditions with regards to the outside area:

- When licensable activities take place in the external area, regular checks of the garden will include the removal of empty glasses and bottles.

- Whenever the external area is used for licensable activities, a sufficient number of staff members, which will be determined on a risk assessed basis, will operate, monitor and supervise the area.

All other hours, activities and conditions permitted by the premises licence are to remain unchanged by this application.

When considering the application and the external licensed area plan shown in (drawing no 203007 Rev A), this does not resemble the premises external area or location being used on site today. The premises external area has changed shape from a rectangular area on St Ann's Church Yard measuring 60m<sup>2</sup> to an L shaped external area that extended further behind St Anns Church measuring 137.8 m<sup>2</sup>. The positioning of the current seating area is not in the location shown in the application, the size and current location can be seen in **Exhibit BC3 and BC4**

The LOOH team believe that approving this application will result in the applicant carrying out licensable activities in areas that are not covered on the application's plan.

The area of St Ann's Square is known to Greater Manchester Police as a problem area for Street drinking along with associated anti-social behaviour and crime; we do not feel that the conditions offered by the applicant have taken these factor into consideration or are sufficient to manage the considerable increase to the licensable area.

No information has been provided by the applicant on how they will manage patrons trying to leave the seating area with open containers of alcohol increasing the risk of a rise in Street drinking in the area. The Council has implemented a Public Space Protection Order in the City Centre to address and prevent Street drinking.

We also have concerns regarding the scale of the seating area and proximity to the church, nothing has been offered by the applicant to ensure there is no noise disturbance caused by this area, such as not using this area when the Church is in use or how staff will manage excessive noise from patrons.

When assessing this application we have given particular consideration to Manchester City Council's statement of Licensing Policy 2016-2021 and how the granting of this application would undermine our Policy, specifically to:

#### **MS5 Prevent on-street consumption of alcohol**

Manchester City Council has previously implemented Designated Public Place Orders (DPPOs) in areas throughout Manchester in order to help address and prevent numerous problems caused by public consumption of alcohol. With effect from 20 October 2014, any new or renewal of such orders are known as Public Space Protection Orders (PSPOs). Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour. Licensees should ensure all

staff are aware of the DPPO/PSPO when situated within the designated area and reinforce the No Street Drinking warning at point of sale.

**MS9 Effectively manage exterior spaces (eg. beer gardens, smoking areas, table and chair areas on the highway)**

Where the premises include any exterior areas, licensees should demonstrate the measures in place to prevent issues that may give rise to problems. Relevant considerations should include:

- A limit on the number of patrons in such areas
- **Whether there is a curfew on using a limit**
- **How a limit will be delineated, if relevant**
- How premises will be kept clean and free of litter, particularly at the end of trading
- **The type of supervision to be put in place**
- **Whether the premises should be covered by CCTV**
- **Whether glasses should be allowed outside**
- **The glass collection arrangements to be put in place**
- **How to avoid customers causing noise disturbance**
- **How the premises will prevent begging at, and in the immediate exterior of, the premises.**

Therefore given the above concerns the Licensing and Out of Hours Team recommend that this application is refused.

Recommendation: Refuse Application

Location plan showing: Thomas Chop House External Seating Area.

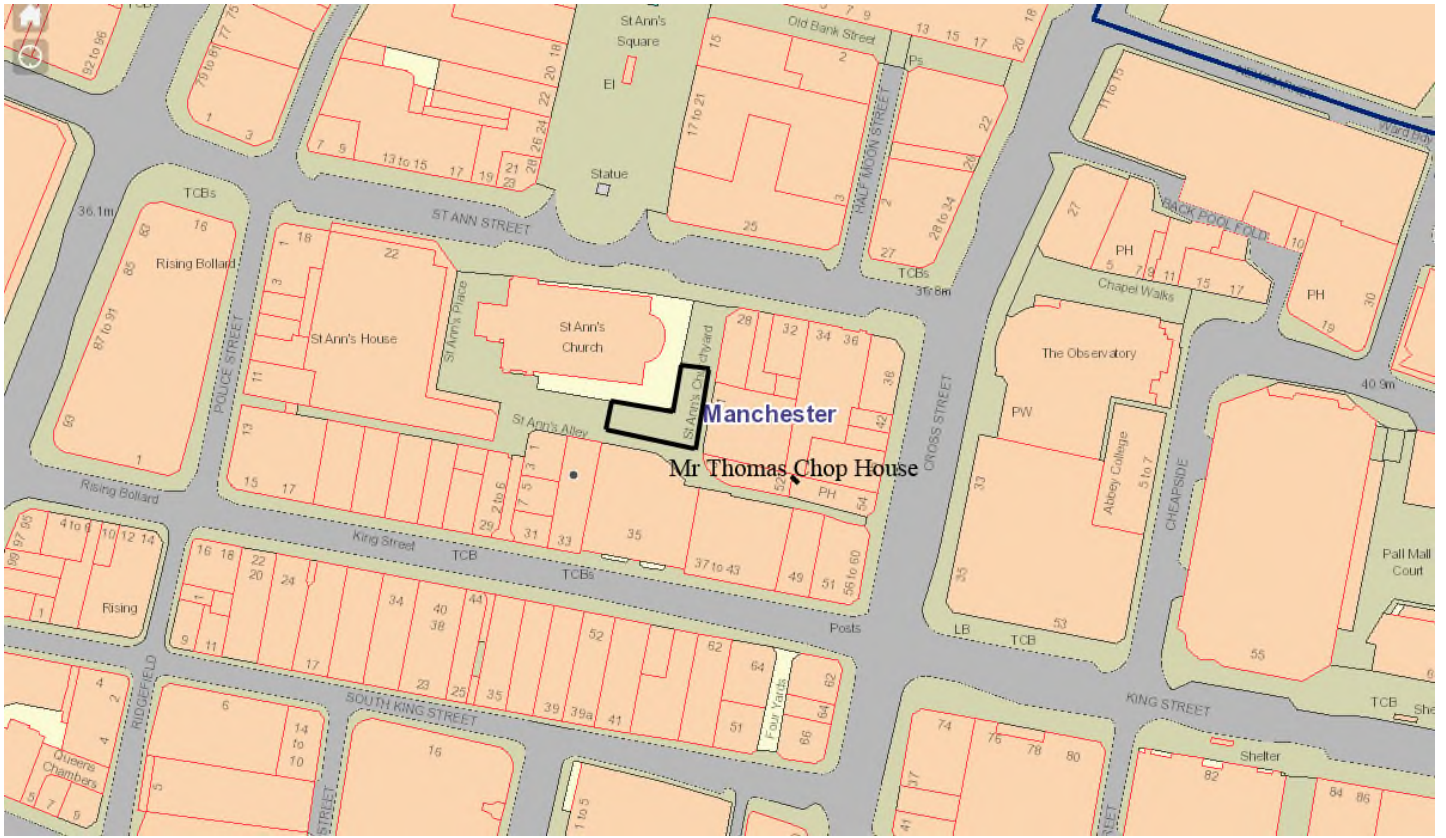
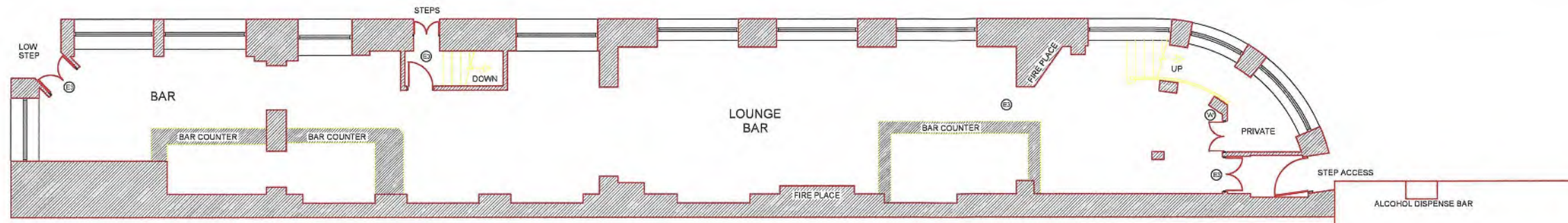
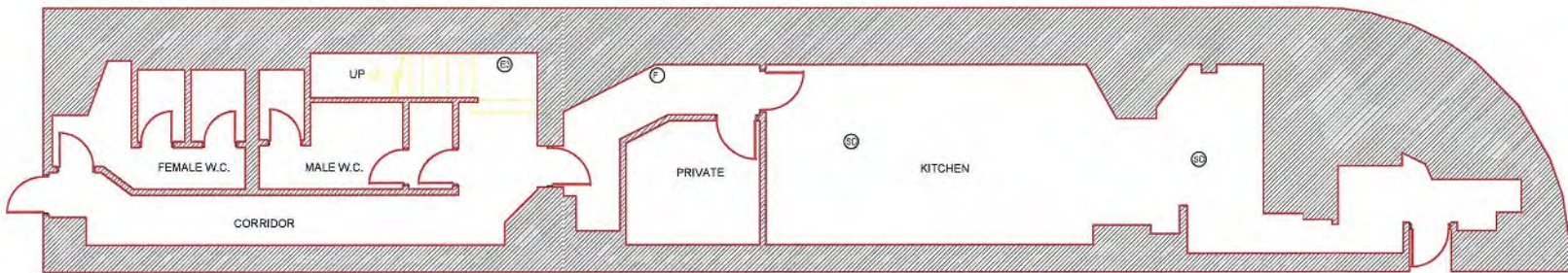


Exhibit BC1.



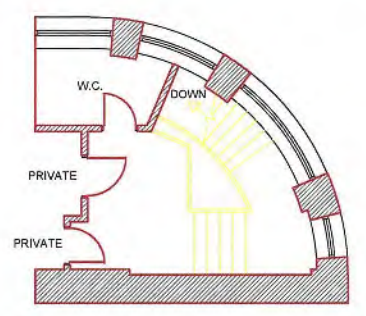
GROUND FLOOR PLAN



PART BASEMENT PLAN



LOCATION PLAN  
SCALE 1:500



PART FIRST FLOOR PLAN

- KEY**
- ⊙ SMOKE DETECTOR
  - ⊙ WATER EXTINGUISHER
  - ⊙ FOAM EXTINGUISHER
  - ⊙ ILLUMINATED 'EXIT' SIGN WITH DIRECTIONAL ARROW

REV	DATE	DETAILS	DRAWN
A	03.06.19	Addition of external alcohol dispense bar	GT

**ROMANS**  
Surveyors

4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 5AS.  
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ON BEHALF OF  
**PUNCH TAVERNS**

PROJECT TITLE  
**Mr Thomas' Chop House,  
52 Cross Street, M2 7AR**

DRAWING TITLE <i>Existing Floor Plans</i>		SCALE 1:100
DRAWN SA		DATE 23.03.05
CHECKED SL	DWG NO. 203007	REV A

ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP INCORPORATING:

COMMERCIAL SURVEYORS	ARCHITECTURAL
LAND & NEW HOMES	FLOWER IFA
LETTINGS RESIDENTIAL	RELOCATIONS

**The ROMANS Group**

OUTLET NO. 203007

BSI TRADA CERTIFIED ISO 9001



Mr Thomas Chop House External Seating Area = 137 m2

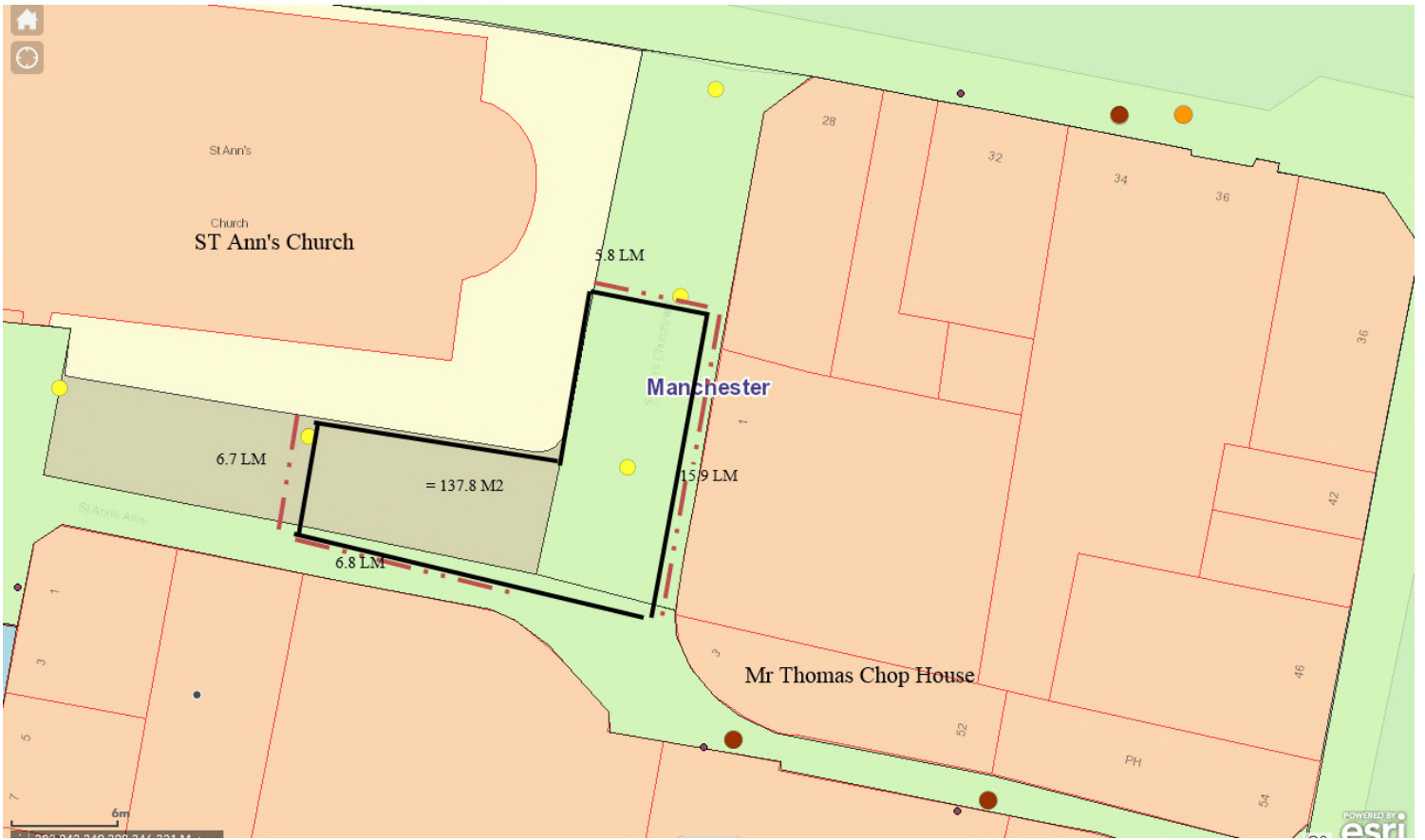
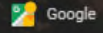


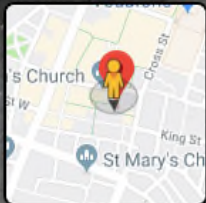
Exhibit BC3

Exhibit BC4 : Photographs of Thomas chop House external seating area.

St Anns Churchyard  
Manchester, England



Street View - May 2017



Google

St Anns Pl  
Manchester, England  
Google  
Street View - May 2017

