

**Representation from Councillor Young:**

**From:** Young, Patricia

**Sent:** 05 April 2022 12:42

**To:** Armstrong, Katie <Katie.Armstrong@trafford.gov.uk>

**Cc:** Chalkin, Daniel <Daniel.Chalkin@trafford.gov.uk>; Mitchell, Alan <Alan.Mitchell@trafford.gov.uk>; 'John Brodie' <johnbrodie@brodielegal.com>

**Subject:** OBJECTION FROM CLLR YOUNG EMAIL 1

Dear Katie,

I am not very happy with this application.

Unlike many of the other restaurants and cafes on Ashley Road, Vito's Pizza Kitchen is actually bordered by residents in flats and we have to consider how extending the hours allocated to Vito will affect them. Also Vito is not behaving in a very considerate way at the moment and this is also a considerable worry.

I have already had to advise Nasreen Ali in Environmental Health of problems that one neighbour is having with smells emanating from Vito's kitchen where in spite of being asked to keep their Kitchen door closed they actually prop it open with a chair – we have photographic evidence of this – and I am therefore sceptical as to their claim that they will keep doors and windows closed at all times. Possibly if you do consider granting this application a condition should be made that an air conditioning unit is installed into the building if this can be done without causing a noise nuisance to the neighbours.

I am worried at the sale of alcohol so late at night to be consumed off the premises as well as on. The application is to keep the premises open

Sunday – Wednesday 12.00 – 00.00

Thursday – Saturday 12.00 – 00.30

But they then go on to declare that

“We intend for the premises to be closed no later than 00.30 Sunday – Wednesday and no later than 01.00 Thursday – Saturday.”

People leaving premises where they have been eating and drinking do generate a certain amount of noise and I would like to be informed as to the precise time that they actually intend vacating the premises. I note that later on in the application they are stating that alcohol will be served for consumption on and off the premises Sunday – Tuesday until 00.00 and Wednesday to Saturday until 00.30., but they then go on to state that the restaurant will be open to the public Sunday – Wednesday 00.30 and Thursday – Saturday 01.00. I am a little confused by this.

There has been mention of time sensitive collection and disposal of refuse. I would like it to be clearly stated that there should be no collection and disposal of refuse between 20.30 – 08.00 and that no bottles should be thrown into bins during these times. They claim that “All doors and windows will be closed” and as I have stated earlier this clearly is not happening now and we need to ensure that it will not happen in the future.

There is also a considerable amount of litter in the outside area behind the restaurant which should be cleared away as the area immediately outside a food preparation area should, in my opinion, be regularly swept clean for hygienic reasons and at the moment this would be impossible.

I consider that the present times that this establishment has a licence to operate, Monday – Sunday 12.00 – 23.00 is adequate as allowing what seems to be the extra time of one and a half hours before closing will only attract the later and probably noisier section of the community in search of food and drink and entertainment up to midnight or later. I would ask that the closure of doors and windows and restriction of times on the disposal of refuse should be included in any new or renewed licence that is granted.

Kind Regards

Patricia Young

Cllr Mrs P Young

TMBC Hale Central Ward

Tel: 0161 928 0207

**From:** Armstrong, Katie **On Behalf Of** Licensing

**Sent:** 06 April 2022 17:00

**To:** Young, Patricia <[Patricia.Young@trafford.gov.uk](mailto:Patricia.Young@trafford.gov.uk)>

**Subject:** RE: ELECTRONIC SERVICE - FULL VARIATION

Dear Cllr Young,

I hope you are well and thank you for your email.

The applicant has now confirmed with us that the timings on the application form were not correct.

The timings which are correct are:

Supply of Alcohol (On & Off)

Sunday – Wednesday: 12:00 - 00:00

Thursday – Saturday: 12:00 - 00:30

Opening Hours:

Sunday – Wednesday: 12:00 - 00:30

Thursday – Saturday: 12:00 - 01:00

As noted in your email you wish for the following conditions to be added:

- A condition should be made that an air conditioning unit is installed into the building if this can be done without causing a noise nuisance to the neighbours.
- I would like it to be clearly stated that there should be no collection and disposal of refuse between 20.30 – 08.00 and that no bottles should be thrown into bins during these times.
- There is also a considerable amount of litter in the outside area behind the restaurant which should be cleared away as the area immediately outside a food preparation area should, in my opinion, be regularly swept clean for hygienic reasons and at the moment this would be impossible.

If we can get the applicant to agree on added conditions which are worded to support the above points, will you be happy for the licence to be granted?

With Regards,

Katie Armstrong

**Licensing Officer**

Place Directorate - Regulatory Services

Trafford Town Hall  
Talbot Road  
Stretford  
M32 0TH.



**From:** Young, Patricia

**Sent:** 12 April 2022 10:46

**To:** Licensing <licensing@trafford.gov.uk>

**Cc:** Chalkin, Daniel <Daniel.Chalkin@trafford.gov.uk>; 'John Brodie' <johnbrodie@brodielegal.com>

**Subject:** OBJECTION CCRY YOUNG EMAIL 2

Dear Katie

Thank you for your email and I am glad that some points have been clarified.

Sadly I am not, however, happy with the extension to this licence being granted. The current licence allows Vito to remain open until 23.00 hours but in actual fact they seem to be closing somewhere around 21.00 – 21.30 and I question whether it would be a good idea to allow it to operate much beyond this time as it would only attract noise and possibly anti-social behaviour into

the commercial centre of Hale and will attract people who have already been frequenting other bars in the vicinity and need something to eat.

I visited the area yesterday when Vito was closed and was disturbed at the state of the shared passageway immediately outside the rear of the building. I was also told that the kitchen door still remains open when Vito is operating, there is timed photographic evidence for this, causing noise and smell problems. The resident in 186 Ashley Road is now compiling a diary for Environmental Health which should be completed and returned by the end of this month. In view of this I have to state that I have no confidence at all that this establishment will be operated in accordance with Trafford's rules and regulations and granting a licence allowing this establishment to remain open until around midnight or later on a daily basis will constitute a severe loss of amenity to close residents.

Another thing I noticed yesterday was a large overflowing bin in the passageway by Vitos but clearly visible from the road. I feel that the security and disposal of waste is something that will need to be clarified on hygienic grounds if a licence is granted, as if the times that Vitos is allowed to operate are increased so will the waste that will be generated.

Kind Regards

Patricia

Cllr Mrs P Young

TMBC Hale Central Ward

Tel: 0161 928 0207

**Mediation from Applicant:**

From: Vito's Pizza Kitchen [mailto:info@vitospizzakitchen.co.uk]

Sent: 20 April 2022 13:41

To: Young, Patricia <Patricia.Young@trafford.gov.uk>

Cc: Armstrong, Katie <Katie.Armstrong@trafford.gov.uk>

Subject: Premises licence variation - Vito's Hale

> Dear Councillor

>

> I have been passed your recent emails relating to our application to vary our premises licence.

>

> I hoping I can alleviate your concerns and would of course welcome a face to face meeting to discuss.

>

> As I am sure you are aware the premises were previously a hair dressers that was left vacant and run down for sometime. We saw an opportunity to bring affordable quality dining to the village. Regrettably the Covid Pandemic started literally just after we signed the lease and as I sure you can imagine has caused significant disruption to hospitality businesses. We managed to continue to

trade despite the limitations placed upon us. Even as we come out of the pandemic the effect is still with us and we have noticed a change in peoples dining habits & requirements.

>

> We are a small business currently employing 15 people, in Full & PT roles, all Trafford residents. We have seating for approximately 40 people over 2 floors. We are a small restaurant, not a large premises as you know. Our application is important to us to try to simply ensure the viability of our business moving forward.

>

> Selling alcohol is an important source of revenue for the business. We are frequently open later than you suggest, normally at weekends. The difficulty for us is that accepting bookings beyond 9.30pm means that under our current licensing arrangements we cannot serve alcohol in the event a customer is with us beyond 11pm, such as wanting an extra glass of wine or post dinner liqueur and so we have to ask them to leave, wherein they will take their business elsewhere. Those extra few sales over the course of a year will be very important to us. We do not intend to operate as a takeaway business serving late night customers, that is not our business model or the customers we want.

>

> I think it is important to stress exactly what our request for a variation is, that is a licence to serve "No Later than". We do not want to fall foul of our current licensing and so our request is simply to ensure that we comply with licensing law in the event we are able to accept later bookings, or a customer wishes to stay with us longer than 11pm.

>

> I am sure you appreciate that our licensed hours may be different from our actual operating hours. Our proposed Licensing hours simply give us a degree of flexibility moving forward. Over the course of the last 2 years our hours and days of operation have varied significantly due to the restrictions placed upon us, and staffing difficulties. Whilst currently we do not open on a Monday or Tuesday we may at some stage revert to a full seven days a week service. The application process is time consuming and expensive for us and so we have simply applied for what we believe would be the maximum we could possibly need, again so as not fall foul of licensing law at any time. In reality our closing times will generally be much earlier.

>

> I note your concern regards noise and anti-social behaviour. Rest assured we are aware of the licensing objectives. Our premises are fitted with CCTV - internal and external and our staff are also trained in responsible service of alcohol. We often assist our local Police with access to our CCTV to assist in the detection and prevention of crime in the village, usually relating to street robberies. In addition we are also part of the local business police scheme working in conjunction with CCTV operation to report matters of concern.

>

> We have stated in our application there will be no outside / external drinking post 11pm. In addition our only reason to for "Off Sales" is simply if someone wanted to purchase a bottle of wine to take home post their meal. We have no intention to serve alcohol for Off sales than this. During the pandemic we were able to operate as a takeaway and our customers supported us by purchasing alcohol as fortunately we had an Off Sales licence. We are fully aware that Trafford is the subject of a PSPO order together with the constraints & restrictions it involves.

>

> The village already has several other restaurant venues open later than ourselves, for example ;

>

> Victors 12am Sunday - Thursday and 1am on Friday & Saturday.

> Piccolino Hale - Friday & Saturday 1am

> Atticus Friday & Saturday 12am

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> In respect of other concerns we have already recently fitted additional air conditioning to the premises, and we are looking at upgrading our kitchen extraction / ventilation currently. We have no wish to cause a nuisance to any of our neighbours. We note the concerns regards smells. Within the 100 yards of our premises there are several other restaurants each omitting various odours form time to time.

>

> Our demised property per lease includes the majority of the side passageway and the rear yard area. The occupier of the first floor flat at 186 has a right to pass over our area of land as do others under longstanding property rights. We have a right to store what we wish within our demised area. You are also no doubt aware that both the front and rear entrances are secured by locked gates preventing access to ground floor the entrance to the flat and to our own premises.

>

> I understand EHO have been in touch regards complaints of the rear prep kitchen door being open. Our Kitchen porter uses the rear yard area to clean pizza trays and from time to time may have left the door open to allow entrance & egress. I have raised the issue with our manager and shall to course keep the matter under review. This door is simply an access to our prep kitchen. It is well away from our customers / dining area and so I cannot see noise from there being an issue. If you believe it is I am happy to install sound monitoring equipment around this area.

> Please note Our front dining area is fitted with a new double glazed shop front with self closing door as is the first floor of our property.

>

> We do currently have some old furniture in our yard that we are waiting to be collected. We anticipate this to be removed this week.

>

> Should the business require additional bins due to increased business then we will obtain additional bins as we have plenty of room.

>

> I hope this email goes someway to alleviating your concerns. I sincerely hope that you will reconsider your objection to our application. The time for consultation expires Monday 25th. I am happy to meet up to chat through although aside from later today I am out of the country until Sunday. My number is 07801393791.

>

> I look forward to hearing from you.

>

> Best regards

>

> Eamonn Dunne

> Director

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Unfortunately no agreement was made following discussions.