

**Representation from resident:**

**From:** F Marshall [mailto:flbmarshall@gmail.com]

**Sent:** 07 April 2022 18:59

**To:** Young, Patricia <Patricia.Young@trafford.gov.uk>; Licensing <licensing@trafford.gov.uk>

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

**Subject:** OBJECTION 2

Dear Licensing Dept

I would like to put forward my reasons for why I wish to object to Vito's Pizza Kitchen's new licence application with the revised opening and closing hours being :

Sunday - Wednesday 12.00 - 00.30 But currently: 4pm - 9.30pm, Sunday 9pm

Thursday - Saturday 12.00 - 01.00 But currently: 4pm - 9.30pm

I live next door to the property at 186 Ashley road, and this directly affects me in so many ways, be it Noise, Pollution, Smells, Safety and Security, Drunkenness and Disorder, never mind possible anti-social behaviour, substance abuse, and Litter. I regularly hear drum and base/dance music from The Elk of Hale during the weekends late on, so there will be an even larger element to contend with. Are you aware we have had a stabbing recently in the village?

There is also a bank of three air conditioning units directly facing my side wall and they are not quiet. One has been regularly left on when the place is shut which I have had problems with in the past, but is still not particularly quiet in the evenings. If these are all going to be on this will be a real noise pollution to myself.

What time are the staff going to leave if the place is open to these hours as they cannot leave until the place is closed and that will mean even more noise to me late at night.

I would question how many people go in to eat after 10pm or 11pm, so is this merely an excuse to serve alcohol until this time? A pizza place late at night usually implies young people which will incur more possible drunken behaviour, extra idling of taxi's as people who drink should not drive, which means more noise through cars, or worse still walking/stumbling home.

If Vito's is going to be serving alcohol off or on the premises that can only mean they will be roaming around at the front close to my gates and where I live. That is not

acceptable. Will there be security to ensure that there is no off property drinking. I was under the impression people could not roam around drinking in Hale?

Plus I believe there will be a crossover of people coming from or going to The Elk of Hale, (also owned by the same person) and I believe this licence is merely to increase the alcohol revenue of both places which does not enhance Hale village.

Elk utilises itself as a nightclub type place with lots of people hanging around outside late on and I believe this will also occur outside Vitto's pizza place and the alleyway. I don't want that kind of noise or that kind of behaviour outside my home. Nor do I wish the security element.

I have in the recent past, one late evening, seen two lads across the road from me, sniff a substance on top of their hands then calmly walk back to Elk.

Furthermore Vito's use the side passageway (which I might add is a shared passageway between both myself and them) as a dumping ground and is a mess and this has increased over the last year. There should be mutual respect but that is not the case. I regularly have to move their bins, or stuff from outside my front door. They leave their rubbish overflowing regularly on the floor which then gets opened by vermin. The same with broken glass which they do not pick up until I complain to them. Every day or evening now they utilise the side passageway with lads using a water hose to clean plastic crates. All this will only get worse with the increased hours. They do not keep their kitchen door shut despite being told to do so. The smells then pervades into my flat when the windows are open or when I open my door. Fatty smells and garlic smells linger. They also often hover chatting outside when they have nothing else to do. I have seen this myself. They don't wish to keep the door shut and have no intention of doing so. They regard me as a mere inconvenience.

I have lived here most of my life and until relatively recently I was living next door to a shop which shut in the evening and was not open on Sundays. Where was I considered when you changed this to being a food establishment? It appears I was not, but changing the licensing laws is serious to my well being and is not acceptable to my living conditions or quality of life. AS I HAVE STATED , This is licence is merely to supplement extra drinking time.

Just to show you Vito's does not adhere to the current rules, the pictures below were taken today Thursday April 7th at the following times. 15.17, 15.43, 17.05 pm (All my photos are times stamped) The kitchen door should be shut but has been left open despite them having been told several times by the environmental dept. The last one shows how they are completely taking over the passageway even to my garden gate.











Francois Marshall

186 Ashley Road, Hale Altrincham Cheshire WA15 9SF

[flbmarshall@gmail.com](mailto:flbmarshall@gmail.com)

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

**Sent:** 11 April 2022 13:46

**To:** 'F Marshall' <[flbmarshall@gmail.com](mailto:flbmarshall@gmail.com)>

**Subject:** RESPONSE OBJECTION 2

Good Afternoon,

Thank you for your email to our department regarding the Full Variation to Vito's Licence.

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 a formal representation we are obliged to pass on the information to the applicant, so they can review the information you have stated and to come to an agreement before the end of the consultation period. This may be the addition of conditions. If an agreement cannot be made it will be escalated to a formal council committee hearing where you will be invited to give your representation and the application will be determined by the committee members.

Please can you confirm that you are happy for your email to be sent across to the applicant?

With Regards,

Katie Armstrong

**Licensing Officer**

Place Directorate - Regulatory Services

Trafford Town Hall

Talbot Road

Stretford

M32 0TH.



### **Mediation from Applicant:**

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

**Sent:** 20 April 2022 15:36

**To:** fbmarshall@gmail.com

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

**Subject:** MEDIATION

Dear Ms Marshall

I have been passed a copy of your letter of objection to our application to vary our Premises Licence.

You objected to our application for planning at the time of that application when it was our original intention to operate the existing premises as a restaurant.

I thought it might be useful to write so as to hopefully alleviate your concerns.

Our application is simply the maximum hours of service that we seek and in reality our operating hours will be much less. Our additional licensing simply gives us extra time to accommodate our customers who currently have to leave our premises at 11pm if they wanted to consume alcohol with food. Contrary to your suggestion we are frequently open beyond the periods you suggest particularly at weekends.

In paragraph three of your letter you set out what we believe are the possible effects on you effects on you and we hope we can try and allay your worries

**Noise** – we are small pizzeria serving at most 40 customers at a time. We are not aware of noise complaints relating to our customers entering or leaving our premises. There will be no outside consumption beyond 11pm. We note your comments re The Elk of Hale. There are no external speakers fitted to those premises. Both neighbouring properties of Kampai and Gupshup have external speakers and we expect the music you refer to comes from those sources. Vitos has no external music speakers either.

**Pollution** – we do not believe there will be any pollution nor are we aware of any problem in this regards currently .

**Smells** - We are aware of your current complaint regards alleged smells from our prep kitchen. We have spoken at length to our manager and staff regards the matter. Rest assured it is not our intention to have our prep door permanently during Service. Our Kitchen Porter has been cleaning in the yard. We apologise that he has left the chair on your side of the passage.

**Safety & Security** - Our building is fitted with Internal and External CCTV. The front and rear entrance to our property also benefits from gates which are locked. We also have private security to call on in the event of any disturbance In or around our property. To date we are not are of any issues relating to safety or security relating to any of our customer or staff.

**Possible Anti-Social Behaviour** - We are not aware of any issues relating to same currently with our premises and do not expect any in the future. We do want to expose our customers or staff to loud drunken people in or about our restaurant. It is **not intended** to operate a s a late night takeaway business either for food or alcohol. Our extended licence



is to simply allow our respectable patrons to be served alcohol with their meal beyond 11pm.

**Substance Abuse** - We have no knowledge of any issue in this regards and would do not expect same form our dining clientele

**Side Passageway** - The side passageway is an area of land that mainly falls within our demise over which you and others have a right to pass. We are entitled to place our property on our side of the passageway within our demise and within our back yard area. Due to recent works we have had some additional chairs that needed removing and we expect those to be removed this week. We also reminded our team of the important of keeping our area clean and tidy.

**Air conditioning** – We have recently installed additional AC – we are not aware of noise form any of our equipment. In the event there should be please use the email below to formally advise us.

To assist in dealing with any issues that arise we can be contacted direct by email on [complaints@vitospizzakitchen.co.uk](mailto:complaints@vitospizzakitchen.co.uk) In the event you have an issue simply email and the management team will be ware and endeavour to resolve. We want to work with you to resolve issues as they arise.

We hope this will go some way to alleviate your concerns.

If you would like to meet face to face to discuss the matter please let us know.

With regards

Eamonn Dunne

Vitos