

Public Document Pack



**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 14 August 2018

Time: 6.30 pm

**Place: Council Chamber, Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH**

AGENDA	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT 122 FLIXTON ROAD, URMSTON, M41 5BG		
To consider the attached report of the Corporate Director of Place.		1 - 60
3. URGENT BUSINESS (IF ANY)		
Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.		

JIM TAYLOR

Interim Chief Executive

Membership of the Committee

Councillors A. Duffield (Chairman), D. Jarman and M. Whetton

Further Information

For help, advice and information about this meeting please contact:

Mrs Ruth Worsley, Democratic & Scrutiny Officer

Tel: 0161 912 2798

Email: ruth.worsley@trafford.gov.uk

Licensing Sub-Committee - Tuesday, 14 August 2018

This agenda was issued on **Monday, 6 August 2018** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

Any person wishing to photograph, film or audio-record a public meeting is requested to inform Democratic Services in order that necessary arrangements can be made for the meeting.

Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 14th August 2018
Report for: Decision
Report of: Corporate Director of Place

Report Title

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT 122 FLIXTON ROAD, URMSTON, MANCHESTER M41 5BG

Summary

Under S18 of the Licensing Act 2003, Members are requested to determine an application for the grant of a premises licence in respect of 122 Flixton Road, Urmston, Manchester M41 5BG having regard to representations received and the requirement to promote the four licensing objectives.

Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered necessary to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application in whole or in part.

Contact person for access to background papers and further information:

Name: Keiran Hinchliffe, Senior Licensing Officer.
Extension: 2593

Background Papers: None

Appendices:
A) Application for grant of premises licence.
B) Amendments agreed with the Council's Senior Licensing Officer.
C) Photographs of the premises.
D) Map showing location of the premises.
E) Representations and petition received.

1.0 APPLICATION

1.1 A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by Mr Paul Fletcher, in respect of 122 Flixton Road, Urmston, Manchester M41 5BG ("The Premises").

1.2 The licensable activity applied for is as follows:

Late Night Refreshment (Indoors Only):
Friday to Saturday 23:00hrs to 00:00hrs.

Supply of Alcohol (on the Premises Only):
Sunday to Thursday 11:00hrs to 23:00hrs.
Friday to Saturday 11:00hrs to 00:00hrs.

Opening Hours
Sunday to Thursday 11:00hrs to 23:00hrs.
Friday to Saturday 11:00hrs to 00:00hrs.

Following consultation with Trafford Council's Senior Licensing Officer, the following times have been agreed as an amendment to the application:

Late Night Refreshment (Indoors Only):
Friday to Saturday 23:00hrs to 00:00hrs.

Supply of Alcohol (on the Premises Only):
Sunday to Thursday 11:00hrs to 22:30hrs.
Friday to Saturday 11:00hrs to 23:30hrs.

Opening Hours
Sunday to Thursday 11:00hrs to 23:00hrs.
Friday to Saturday 11:00hrs to 00:00hrs.

1.3 The application has been properly made and all procedures correctly followed. The application has been attached as Appendix A.

1.4 The amendments agreed with the applicant and the Council's Senior Licensing Officer is attached as Appendix B.

2.0 BACKGROUND AND HISTORY OF PREMISES

2.1 The premises is not currently licensed.

- 2.2 The premises is situated along a promenade of shops on Flixton Road, it is set well back from the road in a small shopping area which caters for the encompassing wider residential area.
- 2.3 Photographs taken showing the location of the premises are attached as Appendix C.
- 2.4 A Map showing the location of the premises is attached as Appendix D.

3.0 OPERATING SCHEDULE

- 3.1 The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003.

The measures proposed in the operating schedule are listed in paragraphs 4.2 to 4.6 (inclusive) and could be attached as conditions to any licence as may be granted.

The proposed measures have been highlighted in bold italics for the avoidance of doubt. Anything in non-italics is a direct quote from the application and will not be a condition on the licence.

The proposed measures have been re-worded in accordance with the Council's Statement of Licensing Policy so as to ensure they are enforceable.

3.2 The prevention of crime and disorder

- a) *Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.*
- b) *The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.*
- c) *An incident log book will be maintained by the premises that details incidents of note that occur in the premises, including any complaints made to the Designated Premises Supervisor. The log book shall be kept on the premises and be available for inspection at all times the premises is open.*

3.3 Public safety

- d) *The Premises will have a procedure in place to ensure fire exits are regularly checked and clear from obstruction.*
- e) *Emergency lighting will be installed and smoke detectors where appropriate.*

3.4 The prevention of public nuisance

- f) *If appropriate, each day a litter sweep should be completed of the area within the immediate vicinity to the front of the premises. Effort*

should be made to keep the area clear of litter, for example discarded cigarette ends and food wrapping.

- g) *Where the premises provide food to the public for consumption on or off the premises there shall be provided at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings etc.***
- h) *There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.***

3.5 The protection of children from harm

- i) *Persons who are attempting to buy alcohol who appear to be under the age of 25 years shall be required to produce proof of age by way of a recognized proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.***

3.6 General applying to all objectives

A 30 min drinking up and meal finishing time on last permitted sale time on alcohol so premises are vacated on time.

4.0 STATEMENT OF LICENSING POLICY

4.1 In particular, the following extracts from the Council's statement of licensing policy are brought to the general attention of members:

- (1.8) Every application considered by the Council under this policy will be considered on its merits, and regard will be given to the Guidance issued under Section 182 of the Licensing Act 2003 and any supporting regulations..
- (1.9) Nothing in the policy will undermine the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act. Appropriate weight will be given to all relevant representations. This will not include those that are frivolous, vexatious or repetitious.
- (1.12) The licensing process can only seek to control those measures within the control of the licensee, and 'in the vicinity' of a premises. The conditions attached to various authorisations will, therefore, be consistent with operating schedules and will mainly focus on:
- Matters within the control of individual licensees and others who are granted any relevant authorisations;
 - The premises and places being used for licensable activities and their vicinity; and
 - The direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

- (5.6) When considering applications for later closing times in respect of premises licences, where relevant representations have been made, the Council will take the following into consideration in accordance with Government Guidance:
- Whether the premises is located in a predominately commercial area
 - The nature of the proposed activities to be provided at the premises
 - Whether there are any arrangements to ensure adequate availability of taxis and private hire vehicles and appropriate places for picking up and setting down passengers
 - Whether there is an appropriate amount of car parking, readily accessible to the premises, and in places where the parking and use of vehicles will not cause demonstrable adverse impact to local residents
 - Whether operating schedule indicates that the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance
 - Whether the licensed activity, particularly if located in areas of the highest levels of recorded crime, may result in a reduction or increase in crime and anti-social behaviour
 - Whether the licensed activities are likely to cause adverse impact especially on local residents, and whether, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it
 - Whether there will be any increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area
 - Any representations from a responsible authority or interested party that identify the premises as a focus for disorder and disturbance.
- (5.8) As far as premises in residential areas are concerned, these may be subject to stricter controls with regard to opening hours to ensure that disturbance to local residents is minimised. The Council considers that it is self-evident that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 2 a.m. than at 11 p.m. It is, therefore, the policy of the Council to strike a fair balance between the benefits to a community of a licensed venue and the risk of disturbance to local residents. In predominantly residential areas, therefore, it may not be appropriate to allow closing times later than midnight. It may be acceptable to open later on a limited number of occasions, for example up to 15 times a year. This would allow licensees to extend opening beyond midnight for special occasions such as New Year. However, every application will be determined on its merits, and applicants wishing to operate beyond midnight will need to demonstrate to the satisfaction of the Council, in their operating schedule, that there will be no significant disturbance to members of the public living, working or otherwise engaged in normal activity around the premises concerned. This policy is aimed at the fulfilment of the licensing objective of "prevention of public nuisance".

- (6.4) Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Such measures may include:
- The capability of the person who is in charge of the premises during trading hours or when Regulated Entertainment is provided to effectively and responsibly manage and supervise the premises, including associated open areas
 - The steps taken or to be taken to ensure that appropriate instruction, training and supervision is given to those employed or engaged in the premises to prevent incidents of crime and disorder, and where appropriate any relevant qualifications.
 - The measures taken or to be taken to raise staff awareness and discourage and prevent the use or supply of illegal drugs on the premises
 - The features currently in place or planned for physical security at the premises, such as lighting outside the premises
 - Policies adopted to meet appropriate best practice in accordance with existing guidance (e.g. Home Office: Selling Alcohol Responsibly, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other recognised codes of practice, e.g. British Beer and Pub Association Partnerships Initiative.
 - Any appropriate additional measures taken or to be taken for the prevention of violence or public disorder.
- (6.7) Where additional measures have been identified as likely to have an impact on the prevention of crime and disorder at any premises, the Council would expect applicants to detail such measures to be taken in their operating schedules. Such measures may include:

- Provision of effective CCTV with recording facilities both within and outside certain premises
- Crime prevention design, including adequate lighting and supervision of car parks
- Metal detection and search facilities
- Procedures for risk assessing promotions and events such as 'happy hours' for the potential to cause crime and disorder, and plans for minimising such risks
- Measures to prevent the use or supply of illegal drugs
- Employment of Security Industry Authority licensed door supervisors and other appropriately trained staff
- Participation in an appropriate Pubwatch Scheme or other similar scheme
- Promotion of safe drinking
- The control of glass and the provision of plastic containers or toughened glass
- Use of radio net system (where available)
- Provisions for dealing with prostitution or indecency
- Provisions for discouraging drinking in public places in the vicinity of the premises
- Policies on dress and music
- Appropriate additional staff training.

(6.8) All premises applying for licensing beyond 00:00hrs must demonstrate that its customers will be capable of leaving the area without causing a disruption to local residents or impact upon crime and disorder. For example, where appropriate and relevant an assessment of the availability of late night transport, and the likely flow of pedestrian traffic away from the premises, could be included in the operating schedule.

(6.10) Where either prescribed and/or premises-related conditions have not been adhered to in the past, the Council will expect applicants to have considered and taken action to rectify those issues. Applications are likely to be refused where there are significant outstanding issues.

(7.5) In considering applications, the Council will expect to see evidence that the applicant has identified matters that impact on the likelihood of public nuisance and that these matters have been addressed in the operating schedule. Such measures may include:

- Measures taken or proposed to be taken to prevent noise and vibration escaping from the premises or in the immediate vicinity of the premises and including any outside areas (including smoking areas) bearing in mind the location of premises and proximity to residential and other noise sensitive premises (e.g. hospitals, hospices and places of worship); This would include music, ventilation equipment noise and human voices, whether or not amplified;
- Measures taken or proposed for management and supervision of the premises and associated open areas to minimise unreasonable disturbance by customers and staff arriving or departing from the premises and delivery of goods and services.

- Control of opening hours for all or part (e.g. garden areas) of the premises
- Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems to residents in the vicinity
- Steps taken to lessen the impact of parking in the local vicinity
- Measures taken to prevent someone who has consumed excess alcohol from entering the premises and to manage individuals on the premises who have consumed excess alcohol
- Management arrangements for collection and disposal of litter and refuse, and the control of pests
- Arrangements for ensuring that adequate and suitably maintained sanitary provision and washing facilities are provided for the number of people expected to attend any premises or events
- A 'wind down time' after the last service of alcohol, during which time the venue may offer for sale non-alcohol beverages
- A 'last admission time' policy
- Management arrangements for any proposed use of bonfires, fireworks and other pyrotechnics.

- (11.7) Standardised conditions will be avoided, although 'pools of conditions' will be used from which necessary and proportionate conditions may be drawn in particular circumstances.
- (11.8) Conditions attached to licenses and certificates will be tailored as appropriate to reflect the individual style and characteristics of the premises and events concerned.
- (11.9) Conditions will not be imposed which are beyond the responsibility or control of the licence holder.
- (14.1) "Cumulative impact" means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For example, the potential impact on crime and disorder or public nuisance on a Town Centre of a large concentration of licensed premises in that part of the local authority licensing area. In certain circumstances the number, type and density of premises selling alcohol for consumption on the premises may be such that there are serious problems of nuisance and disorder arising or beginning to arise outside or some distance from licensed premises. It is possible that the impact on surrounding areas of the behavior of the customers of all premises taken together is greater in these circumstances than the usual impact from customers of individual premises.
- (14.4) When such a special saturation policy is adopted, each application will still be considered properly and on their own individual merit, and licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives will be granted. Following receipt of representations in respect of a new application for or a variation of a licence or certificate, the Council will consider whether it would be justified in departing from the special policy in the light of the individual circumstances of the case. The impact can be expected to be different

for premises with different styles and characteristics. It will be for the Council to show that the grant of the application would undermine the promotion of one of the licensing objectives and if it would, that necessary conditions would be ineffective in preventing the problems involved.

(14.5) In considering such applications the Committee will have particular regard to:

- The occupancy figure for the proposed premises.
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises.
- Whether the proposed premises will act as a replacement for others in the Area that no longer have a licence.
- The proposed methods of management outlined in the applicant's operational plan.
- The proposed hours of operation.
- Transport provision for the Area.

5.0 CONSULTATION

5.1 The appropriate ward Councillors and neighbouring wards, local residents and responsible authorities have been consulted. The responsible authorities are; Licensing, Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.

5.2 Of those consultees identified in paragraph 6.2, there have been five valid representations from other persons and a petition containing 82 signatures. These representations are concerned with potential anti-social behaviour, the premises appearing to be geared towards serving alcohol and not food, the hours applied for, concerns over the use of outside areas to the front and rear, including smoking, litter and issues raised over noise level restrictions.

The representations in full and submitted petition have been attached as Appendix E.

5.3 The amendments to the application were agreed following the end of the consultation period on 28th July 2018 and therefore the amended times for licensable activity and conditions have been circulated through this report only.

5.4 A copy of the report and all representations received have been sent to the applicant.

5.5 Those that have made representations have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

5.6 Representations must be relevant to one or more of the four licensing objectives and must relate to concerns related to the subject premises

specifically and not to the area as a whole, unless clear evidence (on the balance of probabilities) can be provided to show that concerns raised relate directly to the inability of the premises to promote the licensing objectives.

- 5.7 All representations represent the views of the person making the representation and may not necessarily be factual. None of the representations or any summarisation of them represent the views of officers or the Council and must be considered on their individual merits and on the balance of probabilities as required by law.

6.0 LEGAL CONSIDERATIONS

- 6.1 Conditions may only be attached to the grant of a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.
- 6.2 There is a right of appeal to the Magistrates Court by any party aggrieved by any decision of the Licensing Sub-Committee.

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/~~We~~ Paul fletcher

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

122 Flixton road urmston			
Post town	manchester	Postcode	M41 5BG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 6900

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * | X | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname fletcher			First names paul		
Date of birth 18 march 1956 or over		I am 18 years old <input checked="" type="checkbox"/>		Please tick yes <input checked="" type="checkbox"/>	
Nationality ENGLISH					
Current residential address if different from premises address		10B church lane Romiley			
Post town	stockport		Postcode	SK64AA	
Daytime contact telephone number			07836717571		
E-mail address (optional)	Paulfletcher56@hotmail.co.uk				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
↓	↓	↓

Situated along part of the high street on flixton rd . the premises is well set back from the road and pavement. Situated between 2 other shops on the block of 3
The premises is in a mixed residential/commercial and shopping area.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

N/A

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

N/A

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

N/A

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

N/A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

N/A

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

N/A

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

N/A

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

N/A

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

N/A



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur								
Fri	2300	2400				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	2300	2400						
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	1100	2300						
Tue	1100	2300						
Wed	1100	2300				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	1100	2300						
Fri	1100	2400						
Sat	1100	2400						
Sun	1100	2300						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	11am	11pm						
Tue	11am	11pm						
Wed	11am	11pm						
Thur	11am	11pm				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11am	12pm						
Sat	11am	12pm						
Sun	11am	11pm						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name / <i>ROBERT FOSTER</i>	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

K

Please highlight 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 (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	11am		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
		11pm	
Tue	11am		
		11pm	
Wed	11am		
		11pm	
Thur	11am		
		11pm	
Fri	11am		
		12pm	
Sat	11am		
		12pm	
Sun	11am		
		11pm	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

A 30 min drinking up and meal finishing time on last permitted sale time on alcohol so premises are vacated on time, well signed fire exits. Toilet. And safety equipment

b) The prevention of crime and disorder

Cctv will be installed and in operation while premises is open.
An incident book will kept and all incidents of any public disorder will be recorded.

c) Public safety

The premises will have a procedure in place to ensure fire exits are regualy checked and clear from obstruction,
Emergency lighting will be installed, and smoke detectors where appropriate.

d) The prevention of public nuisance

a litter bin will be sited in or around the premises.
Notices to be displayed reminding customers to keep noise to a minimum and respect neighbours when leaving the premises.

e) The protection of children from harm

A challenge 25 policy will be employed on any person who orders alcohol with there meal and asked to produce identification of age ..

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). X

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK
--------------------	---

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>P. M. White</i>
Date	<i>5 JUNE 2018</i>
Capacity	<i>PROPRIETOR</i>

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

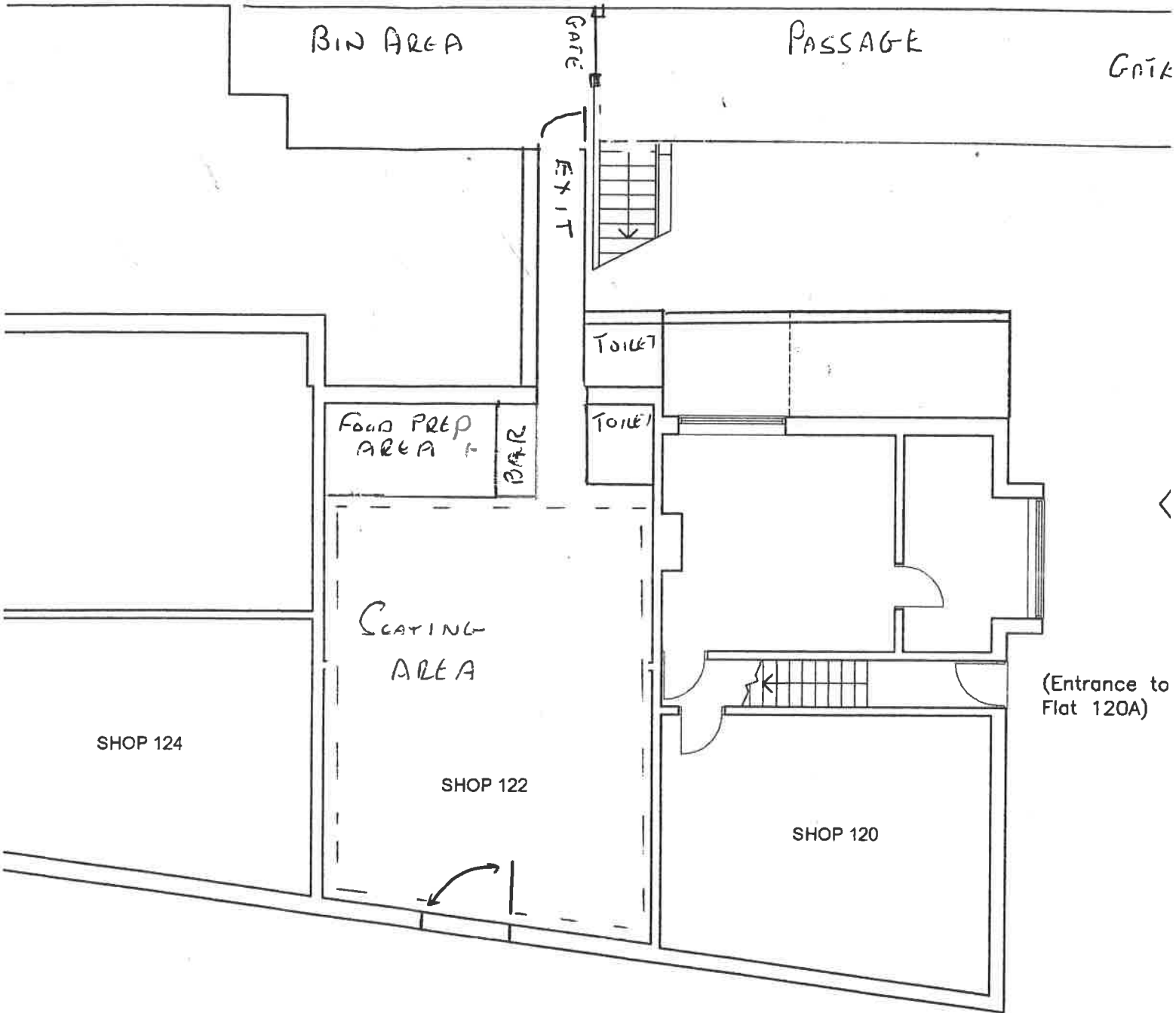
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

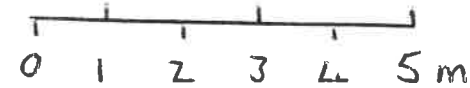
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

ELEVATION 3



ELEVATION 1



5 m

This page is intentionally left blank

Sent: 28 July 2018 09:11
To: Hinchliffe, Keiran
Cc: Taylor1, Janet
Subject: Re: Confirmation of Amendments to Application

Hi Keiran. Yes the amendments are all ok and not a problem at all .. thank you, and jan for the guidance and professional help and information you gave me ..
Paul ...

Get [Outlook for Android](#)

From: Hinchliffe, Keiran <Keiran.Hinchliffe@trafford.gov.uk>

Sent: Friday, July 27, 2018 3:44:44 PM

Cc: Taylor1, Janet

Subject: Confirmation of Amendments to Application

Good Afternoon Paul,

RE: Application for a Premises Licence to be Granted at 122 Flixton Road

It was good to meet you at the Town Hall earlier this morning. As discussed during our meeting, the detail provided below is for you to confirm as an amendment to your application.

The hours for the licensable activity for the sale of alcohol on the premises are amended from 11:00hrs-23:00hrs Sun-Thu, 11:00hrs-00:00hrs Fri-Sat to 11:00hrs-22:30hrs Sun-Thu, 11:00hrs-23:30hrs Fri-Sat.

Litter –

If appropriate, each day a litter sweep should be completed of the area within the immediate vicinity to the front of the premises. Effort should be made to keep the area clear of litter, for example discarded cigarette ends and food wrapping.

The following conditions are taken from your application operating schedule and have been worded to make them clear, unambiguous and therefore enforceable. Please can you also confirm by return that you are satisfied with the following:

CCTV –

Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.

Incident Book –

An incident log book will be maintained by the premises that details incidents of note that occur in the premises, including any complaints made to the Designated Premises Supervisor. The log book shall be kept on the premises and be available for inspection at all times the premises is open.

Fire Exits –

The Premises will have a procedure in place to ensure fire exits are regularly checked and clear from obstruction.

Emergency lighting –

Emergency lighting will be installed, and smoke detectors where appropriate.

A litter bin –

Where the premises provide food to the public for consumption on or off the premises there shall be provided at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings etc.

Notices to leave quietly –

There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.

Challenge 25 –

Persons who are attempting to buy alcohol who appear to be under the age of 25 years shall be required to produce proof of age by way of a recognized proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.

During the meeting I asked for you to confirm that the licensable activity for Late Night Refreshment is for indoors only.

Further, we discussed the use of the outside area to the front of the premises. It was highlighted to you that as your application did not include Off Sales for alcohol and also did not identify the outside area for seating then the application submitted would not authorise any sales of alcohol outside the premises.

I refer to the revised Guidance issued under section 182 of the Licensing Act:

Beer gardens or other outdoor spaces

8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

8.36 In such cases it will be not necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

If you have any questions on the above then please contact me on the details below. Please can you confirm by return that you are satisfied with the amendments to your application including proposed conditions and amendment to the hours for sale of alcohol.

With regards,

Keiran

Keiran Hinchliffe MIO L APCIP | Senior Licensing Officer
Economic Growth, Environment and Infrastructure

Appendix C: Photographs of 122 Flixton Road





Appendix D: Map of the Area



This page is intentionally left blank



Mr & Mrs Martin
1 Glehaven Avenue
Urmston
Manchester
M41 5BN

Licensing Officer
Regulatory Services
Trafford Council
Licensing Section
Trafford Town Hall
Talbot Road
Stretford
Manchester
M32 0TH

Dear Sir/Madame,

We would like to make a formal representation against the alcohol license No: LA0253/18 relating to 122 Flixton Road, Urmston, Manchester, M41 5BG.

We have recently moved into our house here on Glenhaven Avenue with our young family as we were looking for a quiet family friendly area with good local schools. We had looked into the three shops that are adjacent to our premises with only a fence between our garden and the shops before moving and decided that they would not become any nuisance to our property or children. However now that we have been made aware of the above license I feel that the situation we find ourselves in has become somewhat less than desired.

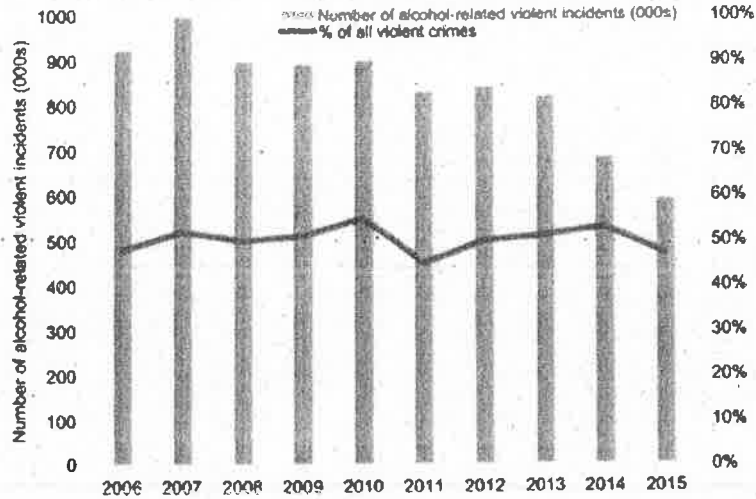
Regarding your specific issues concerning whether or not to grant an alcohol license:

The prevention of Crime and Disorder -

Generally speaking a late license during the week and a later license for the weekend would obviously lead to an increase of alcohol consumption which would in turn increase the chances of crime and disorder. When you consider that the rear of this property backs directly onto our garden we feel that our property may well be overlooked and our current security would be compromised. Spur of the moment crime may increase especially as customers of 122 Flixton Road will be intoxicated. 122 Flixton road may only be applying for an indoor license at this point however they do have access to a small outdoor space to the rear of their building that I imagine would be utilised in due course and this would make our family fearful in using our garden during the times when customers would be attending 122

Flixton road and consuming alcohol. Please find an extract below from the institute of alcohol studies showing that around 50% of all crime can be attributed to alcohol. Therefore to allow the prevention of crime and disorder I feel that this license, especially in this location should not be approved. The centre of Urmston has numerous licensed premises and also empty, already licensed premises. These would not impeach upon the security of a largely residential area as much as this license would.

Figure 1. Violent incidents where the victim believed the offender(s) to be under the influence of alcohol, England & Wales



Source: HM Prison Service, National Statistics (ONS) (February 2016). Overview of violent crime and sexual offences in England and Wales, Crime and Sexual Offences: Year ending March 2015. National Crime Table 1.1

Public Safety -

In the order of public safety it will always be much easier to police drinking establishments when they are in the same area. Bars can then work together along with police if there are any particular threats to public safety and it is easy to police to have a presence in that particular area. If bars are spread across a large area then policing becomes a much more difficult issue. There must also be consideration again that this license is due to be placed into a largely residential area with numerous schools and nurseries in very close proximity. This license has been requested to be granted between large open hours starting from 11:00 AM. This will mean that when children are returning home from schools, or parents are collecting babies and toddlers from the nursery a few doors down from 122 Flixton road they may well come into contact with disorderly and drunken people. The above obviously affects everyone attending the local facilities and the residents living in the close area but the most effected again would be our family. The building due to be granted a license shares a direct border with our house and garden and I would be fearful of our children enjoying our outdoor space with these premises next door.

The Prevention of Public Nuisance and The Protection of Children from Harm –

With the introduction of alcohol people generally become louder. Music will often be introduced and the newly licensed premises will become a lot louder, busier and more prone to smoking/vaping and loitering around the premises throughout the day, evening and night. With a young family to think of, my thoughts are, will my daughter be able to get to sleep at night with this noise? She will be in the rear of our house, a bedroom chosen for her as it should be the quietest, but it wouldn't be if this license was granted. Would our children be hearing obscene language from this establishment as people so often forget their tongue as the liquor flows? With smoking around the property, as is always the case with anywhere that serves alcohol, this smoke will travel. Will our children become second hand smokers when they are playing in garden, or even just when we have the window open? Of paramount importance to us as parents is to protect our children, we have just had our second child, who, at the time of writing is only 5 days old, along with our 3 year old girl and the thought of having a bar right next door to our house which opens late in to the night serving alcohol until midnight is not the sort of future we had imagined when we moved into this house early this year. We have to try and protect the youngest in this world. Broken glass on the street outside or perhaps even over the fence? Even though the license is only for indoor use, there is nothing stopping the venue putting bi-fold doors in the rear of the property. If they did this there would be no license needed and the effect this would have on our life would be vast. I can imagine only constant noise, shouting, swearing, smoking, glass smashing and the occasional fight if this license is granted and considering our location I appeal for this license to be halted in its tracks.

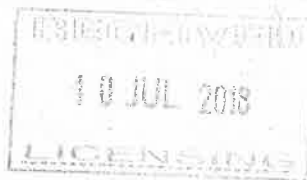
I would also like to ask the question as to why, as immediate neighbours to this property we were not informed of this license application and also the change of use from a shop to a bar? Please advise why we were not informed on both accounts.

Best Regards

f

The Licensing Section
Trafford Council
Trafford Town Hall
Talbot Road
Stretford
Manchester
M32 0TH

3, Glenhaven Avenue
Urmston
Greater Manchester
M41 5BN
05/07/2018



Dear Sirs,

122, Flixton Road, Urmston - Licensing Application LA0253/18

Further to the above application, I wish to make representation against the granting of a licence for the following reasons :-

I do not believe the Application complies with the requirements of the Change of Use application reference 93859/PRC/18.

Having spoken to various residents there are also particular concerns with regard to parking.

Residents in the Avenue have not only to suffer the consequences of the twice daily school run but we now have the added congestion of the garage on Flixton Road using the Avenue as an overspill for the use of their vehicles and customer vehicles following servicing etc.

It should also be noted that vehicles are parked whilst customers pick up from the Canton Taste and Bargain Booze within the times being applied for in the above Licence Application, the granting of this Licence will only make matters worse. Whilst I acknowledge there are parking restrictions on Flixton Road and Glenhaven Avenue, these are only enforceable between 8am and 6pm Monday to Saturday leaving the times outside these hours for unrestricted parking.

The problem arises when vehicles are trying to leave Glenhaven Avenue to enter Flixton Road and are unable to see traffic coming from either left or right without the need to pull out into the middle of Flixton Road to see the oncoming traffic. Granting this Licence can only make the situation more dangerous, particularly after dusk.

Further concerns are with regard to noise levels, what restrictions if any will be applied?, smells, what actions will be taken to restrict cooking smells emitting from the premises?, smoking, what measures will be put in place with regard to smoking and clearance of discarded cigarette ends?.,

I trust you will take all of the above into consideration and respectfully ask that you reject this Licence Application.

Yours faithfully

R S Anderson



The Licensing Section
Trafford Council
Trafford Town Hall
Talbot Road
Stretford
Manchester
M32 0TH

7 Glenhaven Avenue
Urmston
Manchester
M41 5BN

Friday 13th July 2018

Dear Sir/Madam,

Re: Representation Regarding the Premises Licensing Application for Bistro 41, 122 Flixton Rd, Urmston M41 5BG (Change of Use Application Ref: 93859/PRC/18)

We are writing to express our serious concerns in relation to the premises licensing application for Bistro 41, 122 Flixton Road, Urmston, M41 5BG. They are as follows;

1. The proposed hours of the license do not mirror those given as a condition on the Change of Use of Property application ref: 93859/PRC/18. The condition (no. 2) states that the cafe/restaurant shall not be open to the public outside the following hours :-

11:00 to 22:00 Sunday to Thursday
11:00 to 23:00 Friday and Saturday

The hours proposed on the licence application are as follows :-

11:00 to 23:00 Sunday to Thursday
11:00 to 24:00 Friday and Saturday

2. The premises is in a highly residential area with no other businesses opening for these late hours for some distance. It is the extra hour into the evening which is of greatest concern, especially when there is to be the proposed sale and consumption of alcohol.

The later closing of the premises on all days is of concern in relation to the noise and disturbance caused by patrons leaving both on foot and returning to their vehicles. If patrons are unable to park in the spaces on Flixton Road on an evening, which will be probable due to residents in the flats in the area parking there, then Glenhaven Avenue will be the next place that people will try. I don't wish my young family to be woken every evening due to people parking and then returning to their vehicles, possibly every night. It will not only be patrons of Bistro 41 that will now park down Glenhaven Avenue, it will be customers of Bargain Booze and Canton Taste also that are unable to park on Flixton Road. Subsequently there will be more noise, disturbance and traffic to what there currently is; due to the road being a cul-de-sac, vehicles

3. will start their engines, drive away to turn around in the first turning circle of Glenhaven Avenue to then return up for their exit, therefore twice the traffic noise per vehicle.
4. In addition there is the issue of the parking itself, whatever the time within their proposed opening hours. There are parking restrictions at the junction of Flixton Road/Glenhaven Avenue but these are operational from Monday - Saturday, 8am - 6pm only. Unfortunately motorists do not always adhere to these restrictions. This parking will be on pavements, making it difficult for pedestrians to pass (especially with pushchairs for example) and reducing the visibility of the road when residents are moving off their drives. As it is now we have to 'peep and creep' off our driveway as we struggle to see if anything is coming up and down the avenue, and if something is it is sometimes at an inappropriate speed for the road. Whilst we acknowledge that we do not own the street outside our homes residents already have difficulty at times parking on their own street.

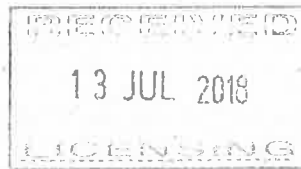
We have emailed you a copy of this representation on Friday 13th July 2018.

Yours sincerely,

Mr Gordon and Mrs Claire Hart

10 Glenhaven Avenue
Urmston
M41 5BW

The Licensing Section
Trafford Town Hall
Talbot Road
Stretford
Manchester
M32 0TH



6th July 2018

Dear Sirs,

Re: Licensing Application LA0253/18

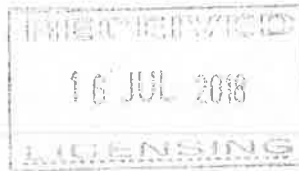
I wish to raise an objection to the licensing application for Bistro 41 at 122 Flixton Road, Urmston for the following reasons:-

1. The applicant agreed that this application would be advertised. I have seen the notice placed in the premises window but despite seeing the photograph of the notice on a lamp post when I visited the Town Hall, I have never seen the actual notice, despite passing by every day and can assure you it is not there now. Neither can I find any notice in local press. I have searched the Manchester Evening News and the Messenger websites for the relevant period and I can find no reference to this application therefore I do not believe it has been validly made and ask that it be declared invalid.
2. I do not feel that sufficient consultation action has been taken by the council. My house is the fifth as you enter Glenhaven Avenue, well within an area that could be affected by noise and parking nuisance but I was not advised by the council of this proposal. I find this unacceptable as when a planning application was submitted for the same premises in 2014, I was consulted and this latest application will certainly have a greater impact.
3. The proposed premises will generate additional demand for parking that cannot be accommodated nearby on Flixton Road and therefore it is inevitable that Glenhaven Avenue will be used as a car park for this establishment. This will create a significant nuisance for the residents and in the previous application mentioned above, one of the reasons for refusal was the effect additional parking would have on the residents of Glenhaven Avenue. I quote *"The proposed development would generate an additional demand for car parking which cannot be accommodated on this site in a satisfactory manner with the result that vehicles would be forced to park on surrounding highways to the detriment of residential amenity. The proposal is therefore contrary to policies L4 and L7 of the Trafford Core Strategy."*
4. Although the application is made in the name Bistro 41 – looking at the licensing hours it is clear that this will be more geared to serving alcohol rather than food, particularly late at night. The bar will serve alcohol until 11pm 5 nights a week and until midnight on the other 2 nights. The potential noise from exiting and possibly inebriated customers at these hours is unacceptable. There are many young families on this Avenue. Section I of the application was not completed fully as required for the provision of late night refreshments, so there is no indication of whether service will be outdoors as well as indoors. Neither does the application specify that doors and windows will be closed at an acceptable time to prevent noise nuisance. As an aside, there is no indication where the designated smoking area will be. This could also create a litter and noise nuisance outside the premises if it is not contained within the boundary.

I would be grateful if you could consider the above objection when deciding this application. Thank you.

Yours faithfully

Alison Shorrocks



101, Flixton Road,
Urmston,
Manchester,
M41 5BF

16th July 2018

Dear Licencing Officer,

Re: Licence application LA0253/18 122 Flixton Road, Urmston, Manchester, M41 5BG

My address is 101 Flixton Road, Urmston and I live directly opposite the premises named above.

I wish to make a representation on the grounds of the prevention of public nuisance, with the following aspects to be considered in support of this representation:

1. The premises is outside the existing alcohol exclusion zone already in place in Urmston. The current furthest on-licence approved is at Adrak's Restaurant at 96 Flixton Road on one side and 69 Flixton Road on the other side - over 100 yards away from the licence application premises. Extending to another licenced bar outside of this zone will increase the risk of public nuisance.

2. The licence application is not shown clearly on the premises - the blue notice is not fully visible on either the premises or nearby lampposts. There is a blue notice fallen on the windowsill inside the premises, but most of the relevant details are obscured from view, and because the pavement is offset from the premises by approximately 20 feet it is obscured further.

Photographs are attached at the end of this representation.

On these grounds I believe that local residents have not been suitably consulted or informed - particularly those that are house-bound and infirm who wouldn't have been able to see the blue notice.

3. The area around the premises is 98% residential - Flixton Road, Glenhaven, Mayfair, Newton, Wycliffe; Legwood Court. Some of these premises including my own have young children and elderly & infirm residing within them. Our own bedroom is at the front of my house and overlooks the premises. This will increase the risk to local residents of public nuisance.

4. There is a Nursery only 2 doors away, and schools of all ages within 150 yds - demonstrating the mixed age of many residents in this area. I feel that this adds to the risk of public nuisance from this application.

5. Risk of outdoor consumption - the adjacent bar (a temperance bar so no on-licence & owned by the same person) has an outdoor consumption area frequently in use, and there is a risk that this will spread to the area outside the new licence application. This will add to noise and disruption and potential public nuisance.

6. Insufficient parking - the area from Urmston Town Centre to here and beyond provides very little public parking, and Glenhaven and Legwood Court (maybe others) already experience congestion from people trying to park away from the town centre. There are already traffic calming measures in place because of accidents, and I feel that the potential increased parking traffic will add to the risk of public nuisance.

I have submitted this representation through the online portal, and will drop a printed version with photographs to the Town Hall later today.

Kind regards,

Andrew & Steph Durbin-Wood



Alcohol exclusion zone – 69 Flixton Road



Alcohol Exclusion zone – 96 Flixton Road



View of premises from pavement – notice barely visible from pavement



View of premises from pavement



A closer view of the front window



Blue notice fallen on floor



Blue notice with details obscured

From: no-reply@trafford.gov.uk
Sent: 16 July 2018 06:16
To: Licensing
Subject: Licensing - contact us form

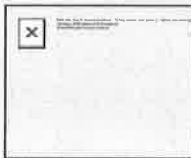
Categories: Licensing Act 2003 - North

Contensis Email Notification

Project - IgWebsite

<http://cms.trafford.gov.uk/>

A new form post has been received.



Posted on: 16/07/2018 06:15:03

Posted from: <https://beta.trafford.gov.uk/residents/contacts/secure/licensing.aspx>

Form Post

Name: Stephanie Durbin-Wood

Phone:

Email:

Licence application LA0253/18 122 Flixton Road, Urmston, Manchester, M41 5BG My address is 101 Flixton Road, Urmston, M41 5BF and I live directly opposite the premises named above. I wish to make a representation on the grounds of the prevention of public nuisance, with the following aspects to be considered in support of this representation: 1. The premises is outside the existing alcohol exclusion zone already in place in Urmston. The current furthest on-licence approved is at Adrak's Restaurant at 96 Flixton Road on one side and 69 Flixton Road on the other side - over 100 yards away from the licence application premises. Extending to another licenced bar outside of this zone will increase the risk of public nuisance. 2. The licence application is not shown clearly on the premises - the blue notice is not fully visible on either the premises or nearby lampposts. There is a blue notice fallen on the windowsill inside the premises, but most of the relevant details are obscured from view, and because the pavement is offset from the premises by approximately 20 feet it was not seen until the last 2 days. Photographs will be submitted with email and postal representation. On these grounds I believe that local residents have not been suitably consulted or informed. 3. The area around the premises is 98% residential - Flixton Road, Glenhaven, Mayfair, Newton, Wycliffe, Legwood Court. Some of these premises including my own have young children and elderly & infirm residing within them. Our own bedroom is at the front of my house and overlooks the premises. This will increase the risk to local residents of public nuisance. 4. There is a Nursery only 2 doors away, and schools of all ages within 150 yds - demonstrating the mixed age of many residents in this area. I feel that

Message/Comment:

this adds to the risk of public nuisance. 5. Risk of outdoor consumption - the adjacent bar (a temperance bar so no on-licence & owned by same person) has an outdoor consumption area frequently in use, and there is a risk that this will spread to the area outside the new licence application. This will add to noise and disruption and potential public nuisance. 6. Insufficient parking - the area from Urmston Town Centre to here and beyond provides very little public parking, and Glenhaven and Legwood Court already experience congestion from people trying to park away from the town centre. There are already traffic calming measures in place because of accidents, and I feel that the potential increased parking traffic will add to the risk of public nuisance. ?

Properties

Form Reference: FRM141153
Posted by: Mr Public User (publicuser@contensis.co.uk)
IP Address: 10.3.3.35
Posted on: 16/07/2018 06:15:03
Posted from: <https://beta.trafford.gov.uk/residents/contacts/secure/licensing.aspx>
Marked as Read: No ([Mark this post as read](#))
Form template: /residents/contacts/secure/licensing.frm

This automated email has been sent from Trafford Council's Content Management System (CMS).

Any statements made, or intentions expressed in this communication may not necessarily reflect the view of Trafford Council. The information contained in this e-mail is confidential. It is intended only for the addressee. If you are not the addressee you must not disclose, copy or distribute this or take any action in reliance upon it. If you receive this e-mail in error, please notify your system administrator.

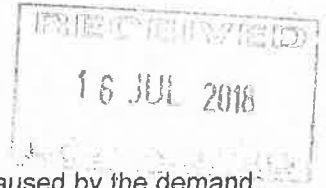
WARNING: Please ensure that you have adequate virus protection in place before you open or detach any documents attached to this e-mail.

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:

reject the proposed licensing application

fully consult with local residents on any future proposals



These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

Name	Address & Postcode	Signature
6 Tien Hoan Tu	M41 5BW 24 Glenhaven Avenue	
7 Thien Huu Tu	M41 5BW 24 Glenhaven Avenue	
8 Nicholas Martin	M41 5BN 1 Glenhaven Avenue	
9 Kirsty Martin	M41 5BN 1 Glenhaven Avenue	
0 COLIN WALLACE	M41 5BN 5 GLENHAVEN AVE	
1 ALAN BROCKING	M41 5BN 9 GLENHAVEN AVE	
2 ALAN BUCKLEY	M41 5BW 4 GLENHAVEN AVE	

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:

reject the proposed licensing application

fully consult with local residents on any future proposals

16 JUL 2018

These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

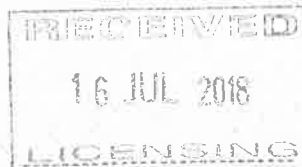
Name	Address & Postcode	Signature
1 JOHN SHORROCKS	10 GLENHAVEN AVE M41 5BW	
2 OLIVIA HOLIAN	8 GLENHAVEN AVE, M41 5BW	
3 STEVEN HOLIAN	8 4 GLENHAVEN AVE, M41 5BW	
4 LUCY BUCKLEY	4 GLENHAVEN AVE, M41 5BW	
5 RAY ANDERSON	3, GLENHAVEN AVE M41 5BW	
6 a anderson	3, Glenhaven ave M41 5BW	
7 D Wallace	5 Glenhaven Ave M41 5BW	
8 Gordon Hunt	7 Glenhaven Ave M41 5BW	
9 CLARE HART	7 GLENHAVEN AVE M41 5BW	
10 JOHN TOLLITT	20 Glenhaven Avenue M41 5BW	
11 SARA MAND	12 GLENHAVEN AVE M41 5BW	
12 C MCCARNEY	14 Glenhaven Av M41 5BW	
13 D BERRY	16 GLENHAVEN AVE M41 5BW	
14 S BROWN	16 GLENHAVEN AVE M41 5BW	
15 P. LEIGHT	15 GLENHAVEN AVE M41 5BW	

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:

reject the proposed licensing application

fully consult with local residents on any future proposals



These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

Name	Address & Postcode	Signature
6 Christina Pearson	25 Glenhaven Ave M41 5BN	
7 Paul Pearson	11 11	
8 Elizabeth Billingsley	27 Glenhaven Ave M41 5BN	
9 Mandi Sissons	29 Glenhaven Ave M41 5BN	
7 Andy Sissons	29 Glenhaven Ave	
7 Ryan Sissons	99 Flixton Rd M41 5BF	
2 D. Harding	99 Flixton Road M41 5BF	
3 D. Sissons	29 Glenhaven Ave M41 5BN	
4 G. Sissons	29 Glenhaven Ave M41 5BN	
5 SPARKER	35 GLENHAVEN AVE M41 5BN	
6 M Anderton	58 Glenhaven Ave M41 5BW	
7 M GRADY	56 GLENHAVEN AVE M41 5BW	
8 MT. GRADY	56 GLENHAVEN AVE M41 5BW	
3 J. Carr	52 GLENHAVEN AVE M41 5BW	
3 S. Carr	52 GLENHAVEN AVE M41 5BW	

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:
 reject the proposed licensing application
 fully consult with local residents on any future proposals

RECEIVED
 16 JUL 2018

These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

Name	Address & Postcode	Signature
MRS A.L. JOHNSON	21 GLENHAVEN AVE URMSTON M41 5BN	
1 MR. B. JOHNSON	21 GLENHAVEN AVE URMSTON M41 5BN	
3 MR K Riley	23 GLENHAVEN AVE M41 5BN	
- Mrs C Riley	23 GLENHAVEN AVE M41 5BN	
5 MRS J. D. DICK	32 Glenhaven Ave M41 5BN	
6 MR W. DICK	32 GLENHAVEN AVE M41 5BN	
MRS A EASDON	34 Glenhaven Ave M41 5BN	
7 Mr I. Easdon	34 GLENHAVEN AVE M41 5BN	
8 MRS P JACKSON	36 Glenhaven Ave M41 5BN	
9 Mr P Jackson	36 Glenhaven Ave M41 5BN	
1 Mr J Morley	40 GLENHAVEN AVE M41 5BN	
2 Mrs K Morley	40 Glenhaven Ave M41 5BN	
3 Mrs Mary	42 Glenhaven Ave M41 5BN	
4 Mr D Simcock	46, Glenhaven Ave M41 5BN	
5 MRS F SIMCOCK	46 Glenhaven Ave M41 5BN	

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:
 reject the proposed licensing application
 fully consult with local residents on any future proposals



These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

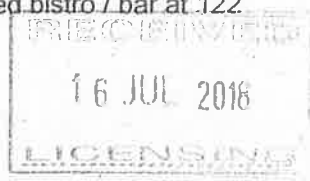
Name	Address & Postcode	Signature
J. Shaw	19 Glenhaven Ave M41 M41 5BW	
P. Gilmoor	30 Glenhaven Ave M41 5BW	
H. Gilmoor	30 Glenhaven Ave M41 5BW	
K. Gilmoor	30 Glenhaven Ave M41 5BW	
E. Tseva	28 Glenhaven Ave M41 5BW	
S. Jung	28 Glenhaven Ave M41 5BW	
DJ Warchen	26, Glenhaven Ave. M41 5BW	
n.g. Scott	60 GLENHAVEN AVE M41 5BW	
PHILLIP SCOTT	40 GLENHAVEN AVE M41 5BW	
J-ROACH	53 GLENHAVEN AVE	
B. ROACH	————— (C) —————	
A. BOWERS	3 LEGWOOD COURT M41 5BQ	
M. WATSON	4 LEGWOOD CT. M41 5BQ	
S. SHERRATT	5 LEGWOOD COURT M41 5BQ	
B. Heeney	6 Legwood Ct M41 5BQ	

Petition to Trafford Borough Council Licensing Department

We, the undersigned, are opposed to the granting of a licence to sell alcohol at the proposed bistro / bar at 122 Flixton Road, Urmston. We call on Trafford Borough Council to:

reject the proposed licensing application

fully consult with local residents on any future proposals

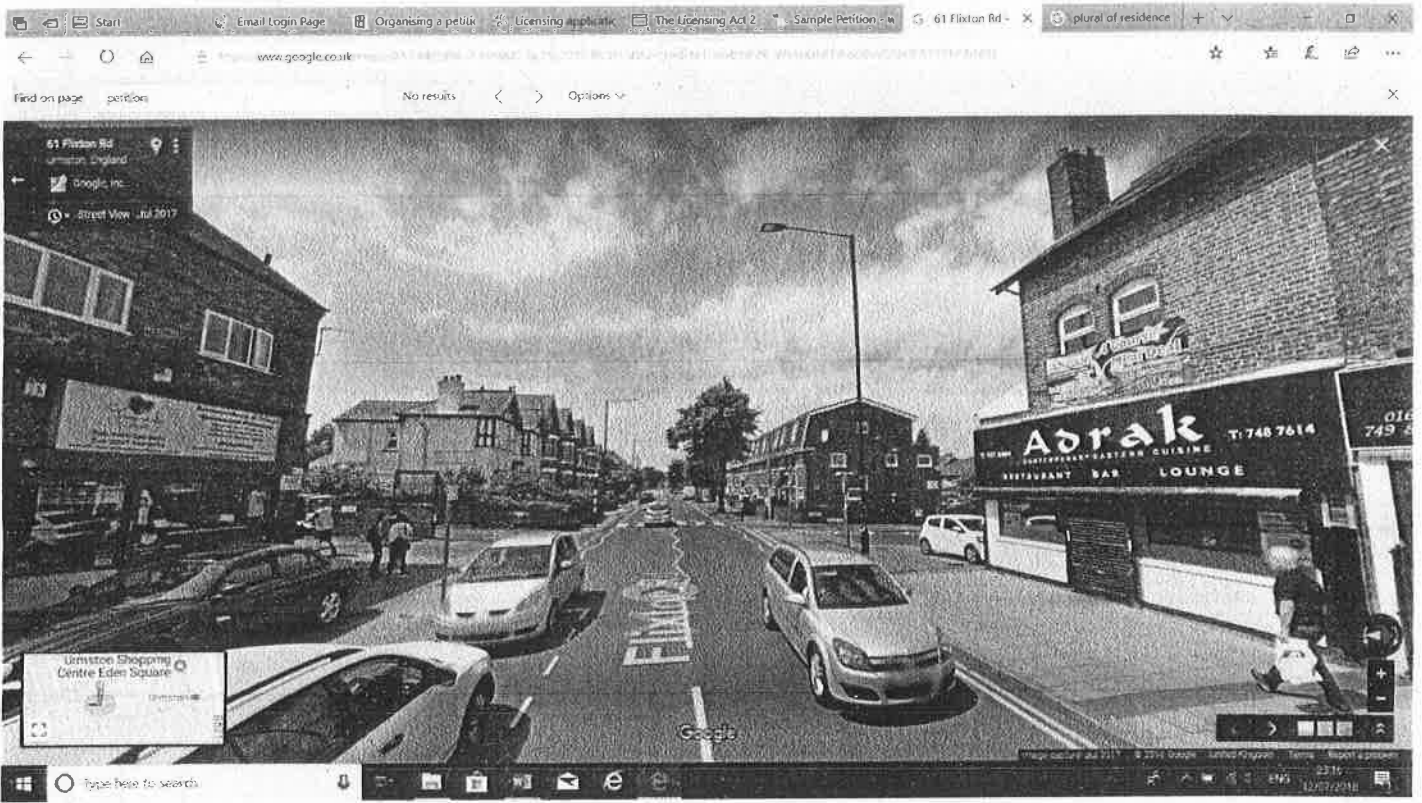


These premises are very close to our residences and there is great potential for nuisance caused by the demand for additional parking plus inappropriate and antisocial behaviour due to the provision of alcohol for such an extended period. This application provides a further source of alcohol within an area already heavily populated with licensed premises – currently 11 on Flixton Road from Crofts Bank Road to Wycliffe Road, 12 if Chadwicks reopens.

Name	Address & Postcode	Signature
1 N. HEENEY	6 Legwood M41 5BQ Ct	
2 J. HEENEY	6 LEGWOOD CT. M41 5BQ	
3 B Sherratt	5 Legwood Ct M41 5BQ	
4 S DUBBIN-WOOD	101, FLIXTON ROAD M41 5BF	
5 A Wood	101 FLIXTON ROAD M41 5BF	
6 L. KAWALUT	40 LEGWOOD M41 5BQ	
7 E. WARRENDER	8 LEGWOOD CT M41 5BQ	
8 D.E. KEMERY	11 LEGWOOD CT M41 5BQ	
9 M Tierney	13 LEGWOOD CRT M41 5BQ	
10 J SUMNER	15 LEGWOOD CRT M41 5BQ	
11 B. McGray	16 Legwood CRT M41 5BQ	
12 M. Byrne	20, Legwood Ct. M41 5BQ	
13 J. Panson	23 Legwood Ct M41 5BQ	
14 P. Birtwood	26 " " M41 5BQ	
15 A. SHORROCKS	10 GLENHAVEN AVE. URMSTON M41 5BU	

LEAF PETITION

FROM WYCLIFFE ROAD (i.e. after the Adrak Restaurant – the last licensed premises from Urmston town centre) THE AREA IS PREDOMINANTLY RESIDENTIAL WITH SOME RETAIL PREMISES - please see photos below



This page is intentionally left blank