Manchester City Council Report for Resolution

Report to: Licensing Policy Committee – 19 March 2012

Subject: Review of the Impact of Licensed Premises in Fallowfield and

Withington

Report of: The Strategic Director of Neighbourhood Services

Summary

Following the 2010 review of the Council's Statement of Licensing Policy under the Licensing Act 2003, the Licensing Policy Committee requested officers to conduct assessments of the need for special policies in respect of geographical areas of concern identified in the consultation responses received in connection with that policy.

This report provides the results of such an assessment in respect of Fallowfield and Withington, and requests the Committee to consider whether the City Council should consult on the adoption of special policies for those areas.

Recommendations

- That the Committee determine whether there is good evidence that crime and disorder or nuisance are happening and are caused by customers of licensed premises or that the risk of cumulative impact is imminent in any or all of the areas identified in this report namely certain areas of Fallowfield, Wilmslow Road and Withington.
- 2. That, if the Committee are satisfied that there is such good evidence, they determine whether a special policy is necessary in any or all of those areas.
- 3. That the Committee identify the boundaries of any or all of the areas to which any such special policy should apply.
- 4. That the Committee request officers to undertake a public consultation on the draft revision to the Council's Licensing Policy, which is attached to this report as Appendix 11, subject to any modifications which the Committee may direct.
- 5. That the Committee provide details of any other issues that they wish to be considered as part of any such consultation.

Wards Affected:

Fallowfield, Withington, Old Moat, Levenshulme

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The Licensing Policy plays an essential role in establishing what premises shall be licensed in which locations, as well as the standards to which they are expected to operate. The policy aims to ensure that only premises that are well-run and appropriate to the nature of the surrounding neighbourhood are licensed thereby positively contributing to the economy of the region and sub-region.
Reaching full potential in education and employment	Licensed premises offer employment and training opportunities for local people, particularly those who are young.
Individual and collective self- esteem – mutual respect	
Neighbourhoods of Choice	The Licensing Policy explains the expectations of Manchester City Council in relation to the operation of licensed premises throughout Manchester. The Policy is the guide to all parties involved in the licensing process advising how Manchester City Council, in its role as the Licensing Authority, intends to exercise its licensing function. The Licensing Act 2003 provides for local residents and other interested parties to make representations in relation to licensing applications. Representations must relate to the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.

Full details are in the body of the report, along with any implications for: Equal Opportunities Policy Risk Management Legal Considerations

Financial Consequences – Revenue

Financial Consequences – Capital

Contact Officers:

Name: Jenette Hicks Name: Fraser Swift

Position: Licensing Unit Manager Position: Principal Licensing Officer

(Premises)

Telephone: 0161 234 4962 Telephone: 0161 234 1176

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

The Licensing Act 2003

The Amended Guidance issued under Section 182 of The Licensing Act 2003 (October 2010)

Consultation Responses to Manchester City Council's proposed Statement of Licensing Policy 2011 -14

Manchester City Council Statement of Licensing Policy 2011 – 14

Manchester's State of the City Report 2010/2011

Manchester's State of the Wards Report 2010/2011

Fallowfield District Centre Action Plan 2010 – 2020

Withington Village Action Plan 2010 – 2020

1.0 Introduction

- 1.1 This report contains information in relation to the impact of licensed premises in certain areas of Fallowfield, Old Moat and Withington.
- 1.2 The areas used for the analysis are based upon the areas identified as the Fallowfield District Centre, Wilmslow Road Corridor and Withington Village in the Fallowfield District Centre Action Plan 2010 2020 and the Withington Village Action Plan 2010 2020. The area set out as the Fallowfield District Centre has been slightly modified to ensure that all bars, restaurants, off licences and takeaways along Wilmslow Road in Fallowfield have been taken into account.
- 1.3 The maps at **Appendix 1** show the boundaries of these areas which are referred to in this report as 'Fallowfield', 'Wilmslow Road', and 'Withington'.
- 1.4 This report requests the Committee to consider whether it is necessary for special cumulative impact policies to be introduced in any or all of these areas.
- 1.5 Any such special policy will require a review of the Council's Statement of Licensing Policy. Section 2 of this report provides background information in respect of the previous review of the Councils Licensing Policy and details the legislative framework and associated guidance regarding "special policies".

2.0 Background

2.1 Licensing Policy

- 2.1.1 Between 23 July and 15 October 2010, the Licensing Authority publicly consulted on its revised Licensing Policy for 2011 to 2014.
- 2.1.2 A number of responses were received from residents, residents associations and ward councillors in Fallowfield, Old Moat and Withington, which detailed concerns in respect of the number of licensed premises in the local area and the negative "cumulative impact" of those premises. The responses typically complained of issues such as public urination, vandalism, drunkenness, litter, and noise disturbance within the areas where the respondents lived. The respondents' belief was that these issues arose due to the number of licensed premises in the area and from persons returning home during the early hours in the morning.
- 2.1.3 In considering those responses, the Licensing Policy Committee resolved that an assessment should be conducted into the impact of licensed premises in those areas.

2.2 What is cumulative impact?

- 2.2.1 The Guidance issued by the Home Secretary under section 182 of the Licensing Act 2003 states:
 - "13.24 "Cumulative impact" is not mentioned specifically in the 2003 Act but

means in this Guidance the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement.

13.25 In some areas, where the number, type and density of premises selling alcohol for consumption on the premises are unusual, serious problems of nuisance and disorder maybe arising or have begun to arise outside or some distance from licensed premises. For example, concentrations of young drinkers can result in queues at fast food outlets and for public transport. Queuing in turn may be leading to conflict, disorder and anti-social behaviour. While more flexible licensing hours may reduce this impact by allowing a more gradual dispersal of customers from premises, it is possible that the impact on surrounding areas of the behaviour of the customers of all premises taken together will still be greater in these cases than the impact of customers of individual premises. These conditions are more likely to occur in town and city centres, but may also arise in other urban centres and the suburbs."

2.2.2 Before adopting a special policy to address cumulative impact the Licensing Authority needs to be satisfied that there is a good evidence base for doing so.

2.3 Steps to a Special Policy

- 2.3.1 The Guidance sets out the following steps to be followed when considering whether to adopt a special policy:
 - Identify concern about crime and disorder or public nuisance
 - Consider whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent
 - Identify the boundaries of the area where problems are occurring
 - Consult with those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation include and publish details of special policy in the licensing policy statement
- 2.3.2 As mentioned at paragraph 2.1.2 of this report concerns have been raised about crime and disorder and public nuisance by local residents and ward councillors. These are summarised in Appendix 2 and copies of the actual responses included at Appendix 3.
- 2.3.3 In accordance with the Guidance, the next stage is to consider whether there is

"good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent". 2.3.4 Paragraph 13.26 of the Guidance advises, in respect of evidence of cumulative impact, that:

"For example, Crime and Disorder Reduction Partnerships will often have collated information which demonstrates cumulative impact as part of their general role on anti-social behaviour; and crime prevention strategies may have already identified cumulative impact as a local problem. Similarly, environmental health officers may be able to demonstrate concentrations of valid complaints relating to noise disturbance."

2.4 The Effect of a Special Policy

- 2.4.1 The effect of adopting a special policy is to create a rebuttable presumption that applications for new licences or club premises certificates, or variations to existing permissions, will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
- 2.4.2 Once a special policy has been adopted, the Licensing Authority may only lawfully consider giving effect to it where a relevant representation has been received against an application and the grounds of the representation are relevant to the reasons behind the implementation of the special policy. It would be sufficient for a Responsible Authority or Interested Party to make a representation on the grounds that granting the application would give rise to a negative cumulative impact on one or more of the licensing objectives. However, if there are no relevant representations, then the application must be granted as applied for.

2.5 The Limitations of a Special Policy

- 2.5.1 A special policy cannot be absolute. The policy must always provide for the circumstances of each application to be considered properly and allow licences that will not add to the negative cumulative impact to be granted. Therefore, upon receipt of relevant representations against an application for a new licence or club premises certificate or variation to an existing permission, the Licensing Authority must consider whether, having regard to the individual circumstances in that case, it would be justified in departing from its special policy.
- 2.5.2 Special policies cannot be used as grounds for an application for review of a licence, or as grounds for a representation in respect of a review. By its nature, a review must focus on the individual premises, whereas a special policy in respect of cumulative impact relates to the effect of a concentration of a number of premises.
- 2.5.3 The Guidance advises that a special policy relating to cumulative impact cannot justify and should not include provisions for a terminal hour in a particular area. For example, it would be wrong not to apply the special policy to applications that include provision to open no later than, for example, midnight, but to apply the policy to any other premises that propose opening

later. To do so would effectively create a fixed closing time, which the Guidance suggests would undermine a key purpose of the 2003 Act to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times (Para 1.18 of the Guidance).

2.6 Legal Status of the Guidance

- 2.6.1 Section 4 of the 2003 Act provides that in carrying out its functions a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. However, the guidance cannot anticipate every possible scenario and provided that licensing authorities have properly understood the Guidance they may depart from it if they have reason to do so as long as they are able to provide full reasons for any such departure.
- 2.6.2 Departure from the Guidance could give rise to legal challenge; therefore the reasons given for any such departure will be a key consideration for a Court when considering the lawfulness and merits of any decision taken.

2.7 Alternative measures to a special policy

- 2.7.1 The Guidance also sets out other potential measures to control cumulative impact including:
 - Planning controls.
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority.
 - The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly.
 - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
 - The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
 - The confiscation of alcohol from adults and children in designated areas.
 - Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance.
 - The power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

- Other local initiatives that similarly address these problems.
- 2.7.2 A number of these measures have already been implemented in the Fallowfield, Wilmslow Road and Withington areas, including:
 - The provision of a public CCTV camera at the junction of Wilmslow Road and Wilbraham/Moseley Road.
 - Dedicated street cleaning and policing operations in respect of the night time economy.
 - Designated Public Place Orders to enable the confiscation of alcohol.
 - Free training and resources offered to licensed premises in responsible selling of alcohol.
- 2.7.3 There have been a number of licence reviews of premises in the Fallowfield area with incidents at premises including serious crime or serious disorder, as well as sales of alcohol to underage persons

3.0 Identified Concerns in Fallowfield and Withington about Crime and Disorder or Public Nuisance

3.1 A number of concerns have been identified from a variety of different sources regarding crime and disorder and or Public Nuisance in Fallowfield, Withington and Wilmslow Road. The details and supporting information regarding those concerns can be found at **Appendices 2 to 10** of this report which principally detail the following:

Appendix 2

Summary of concerns in respect of Fallowfield, Withington, and Wilmslow Road as identified in the 2010 consultation responses to the Council's Statement of Licensing Policy

Appendix 3

Actual copies of the consultation responses referred to in Appendix 2

Appendix 4

The key findings of the report produced by the City of Manchester Partnership Team demonstrating Crime and Disorder issues in the areas of Fallowfield, Withington and Wilmslow Road

Appendix 5

The detailed report in respect of Appendix 4 above

Appendix 6

Information regarding litter problems in the area

Appendix 7

The Use of Designated Public Places Orders in Fallowfield and Withington

Appendix 8

Relevant information from Manchester's State of the Wards Report

2010/11

Appendix 9

Relevant information from the Fallowfield and Withington Action plans consultation statement together with the findings of those action plans

Appendix 10

Statistical information collated by Licensing officers showing the development of Licensing premises in the area since the implementation of the Licensing Act 2003

4. Considerations

- 4.1 Taking into account the information in Section 3 of this report and its associated appendices a number of issues are highlighted below for consideration by the Committee.
- 4.2 Flexible licensing hours for alcohol sales can help to reduce concentrations of customers leaving licensed premises simultaneously.
- 4.3 In Fallowfield and Withington, substantial numbers of customers walk home rather than use public transport or taxis/private hire vehicles. This can result in large groups returning home through residential areas late at night, causing noise nuisance and antisocial behaviour. Additionally, it puts pressure on the takeaway premises in the area in serving and managing large volumes of customers at once, which can lead to friction.
- 4.4 The consultation results from the Fallowfield and Withington District Plans demonstrate that non-student residents in the community perceive alcohol-related antisocial behaviour as a much greater problem than student residents do.
- 4.5 This is also demonstrated through the issues raised in the responses to Licensing Policy consultation from people in Fallowfield and Withington areas at Appendix 3 which are all from non-students and typically complain of antisocial behaviour by students returning home during the early hours.
- 4.6 Having regard to the issues in Fallowfield District Centre, there appears to be evidence of alcohol-related crime and disorder and antisocial behaviour. Limiting the numbers of (and therefore the impact of) alcohol-led premises may help address these issues.
- 4.7 Additionally, whilst such problems are predominately currently evident within the Fallowfield District Centre, there is evidence that such problems have begun to arise in the Wilmslow Road and Withington District Centre areas and it may also therefore be appropriate to consider a special policy for those areas as well, in order to prevent the potential displacement from Fallowfield.

5.0 Policy Considerations for the Committee

5.1 Steps to implementing a Special Policy

- 5.1.1 Members are asked to consider the information in the report including the appendices. In respect of each of the 3 areas the Committee is asked to consider:
 - whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises; or
 - that the risk of cumulative impact is imminent;
- 5.1.2 Where Members are satisfied that either of the above apply, they are asked to:
 - Identify the boundaries of the area where problems are occurring;
 - Decide whether there should be a special policy proposed for those areas and, if so, what that policy should be. A draft policy for Members to consider is attached at **Appendix 11**.

5.2 Is there a need for a Special Policy?

- 5.2.1 The levels of crime with an influence of alcohol marker in Fallowfield in 2011 exceeded numbers for the whole of the years of 2009 or 2010. Additionally, the level of crime with an influence marker in Fallowfield between 2009 and 2011 exceeds that of Wilmslow Road and Withington over the same period combined. Therefore, a key aim of any special policy may be to reduce the crime and disorder in Fallowfield associated with alcohol.
- 5.2.2 Despite there being fewer licensed premises in Wilmslow Road compared to Withington, the total levels of crime with an influence of alcohol marker in Wilmslow Road were higher in 2010 (18 compared to 10) and equal (16) in 2011 to that in Withington. Additionally, due to the location of commercial properties and existing licensed premises in the Wilmslow Road area, there is potential for displacement of licensed premises if restrictions are imposed on licensed premises in Fallowfield.
- 5.2.3 Alcohol-related crime in Wilmslow Road actually fell in 2011 in comparison to 2010. However, the total for 2011 (16) was still more than treble the total for 2009 (5).
- 5.2.4 In respect of Withington, crimes with an influence of alcohol marker has increased annually from 2009 to 2011. However, there is not the same volume of premises with later hours that exist in Fallowfield, and the extent of associated problems is not as great.
- 5.2.5 Particularly in Fallowfield, crimes with an influence of alcohol marker are increasingly occurring later into the night and there is correlation between the terminal hours for licensed premises and the peak times for all crime, crimes with an influence of alcohol marker, and ASB. Problems occurring during the later hours of the night are likely to be more disruptive to the local community.

- 5.2.6 Total levels of crime within each of the 3 areas have decreased between 2009 and 2011. However, levels of crime with an influence of alcohol marker have increased annually in both Fallowfield and Withington, and despite a small annual decrease in 2011 in Wilmslow Road, levels of alcohol-related crime remain higher than in 2009.
- 5.2.7 The levels of crime and crime with an influence of alcohol marker in Fallowfield far exceed those in Wilmslow Road and Withington, particularly in respect of Violence against the Person, Theft and Handling Stolen Goods, and Criminal Damage.
- 5.3 Any other alternative measure proposed by the Committee
- 5.3.1 The Committee may also wish to consider any other option it believes may be necessary to ensure the promotion of the licensing objectives.
- 5.3.2 Where the Committee decide that an alternative approach is necessary then the Committee should set out the reasons for any such approach.
- **6.0** Proposed Consultation Exercise
- 6.1 Proposed Consultation on the implementation of a Special Policy
- 6.1.1 The Licensing Act 2003 requires the City Council to consult with various groups before we determine our Licensing Act policy. Statutory consultees include:
 - The chief officer of police for Manchester
 - The fire and rescue authority
 - Persons/bodies representative of local holders of premises licences
 - Persons/bodies representative of local holders of club premises certificates
 - Persons/bodies representative of local holders of personal licences and
 - Persons/bodies representative of local holders of businesses and residents in the licensing authority area
- 6.1.2 In addition, it is proposed to give the broadest range of people the opportunity to give us their views. We will therefore include:
 - Interested parties throughout the City (ward members and Strategic Area Managers will be informed)
 - All Responsible Authorities as named in the Licensing Act
 - Premises providing licensable activities
 - Trade Associations
 - Residents Associations/ Faith and community groups
- 6.1.3 Wherever possible we will direct parties to an online consultation enclosing a series of questions to prompt responses.
- 6.1.4 We will also make copies of our policy and feedback forms available at public access points such as libraries as well as on our website at www.manchester.gov.uk/licensing/la2003.
- 6.1.5 An article shall be provided to the Communications Team for publication in

relevant Council media.

6.1.6 The attached draft policy at Appendix 11 has been prepared for public consultation. Subject to approval by the Licensing Policy Committee a 12-week public consultation will aim to start on 2 April and end on 24 June. The final policy taking account of consultation responses will subsequently be presented to the Licensing Policy Committee and then for approval by full Council.

7. Conclusion

- 7.1 The Committee are asked to consider whether to request officers to consult on a proposed amendment to the Council's Statement of Licensing Policy in relation to any or all of the areas identified in this report and to specify what amendments shall be proposed.
- 7.2 Where there are alternative proposals to the introduction of a "special policy", the Committee are asked to identify their preferred approach.
- 7.3 Any proposed amendments to the Policy will be subject to a public consultation for a period of 3 months following which, the results of the consultation will be presented to the Policy Committee for consideration of final amendments to the Policy. Any proposed final amendments shall then be recommended for approval by the full Council.

8.0 Contributing to the Community Strategy

- (a) Performance of the economy of the region and sub region
- 8.1 Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The Licensing Policy plays an essential role in establishing what premises shall be licensed in which locations, as well as the standards to which they are expected to operate. The policy aims to ensure that only premises that are well-run and appropriate to the nature of the surrounding neighbourhood are licensed thereby positively contributing to the economy of the region and sub-region.
 - (b) Reaching full potential in education and employment
- 8.2 Licensed premises offer employment and training opportunities for local people, particularly those who are young.
 - (c) Individual and collective self-esteem mutual respect
 - (d) Neighbourhoods of Choice
- 8.3 The Licensing Policy explains the expectations of Manchester City Council in relation to the operation of licensed premises throughout Manchester. The Policy is the guide to all parties involved in the licensing process advising how Manchester City Council, in its role as the Licensing Authority, intends to exercise its licensing function. The Licensing Act 2003 provides for local

residents and other interested parties to make representations in relation to licensing applications. Representations must relate to the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.

- 9.0 Key Policies and Considerations
 - (a) Equal Opportunities
 - (b) Risk Management
 - (c) Legal Considerations
- 9.1 Other than the legal issues identified in this report there are no other legal considerations to be taken into account.







Summary of Concerns as identified in the Consultation Responses to the Council's Statement of Licensing Policy 2011-14

Between 26th July 2010 and 15th October 2010, the Licensing Authority publicly consulted on its draft revised Statement of Licensing Policy for 2011 to 2014. Copies of responses received that are relevant to the impact of licensed premises in Fallowfield, Wilmslow Road and Withington, are included at Appendix 3.

The summary of the main concerns identified are as follows:

- The sale of alcohol at so many premises combined with the huge consumption of alcohol by thousands of (mainly) young people has a massive impact in this area. The lateness of availability of this alcohol has made the problem much worse.
- Alcohol consumption on the streets is a problem
- Antisocial behaviour including
 - o bins overturned in the night
 - o barriers thrown into garden hedges
 - o broken car windows in Clifton Ave
 - o litter left in street and gardens (takeaway and alcohol containers)
 - o broken glass
 - o vomit
 - o public urination
 - o vandalism
- Frequent night time noise disturbances such as groups of people squealing, singing and shouting.
- The licensed premises after a certain time in the evening are too studentfocussed.
- Residents consider they have limited impact on licensing applications seeking to extend drinking hours as they are unable to prove that the people who overturned the brown bin full of glass bottles at 2 in the morning, or uprooted a council tree at 3 in the morning etc. had been drinking that night at a specific pub or club.
- The impact of the licensed premises in the area has resulted in those long-term residents who are capable of moving out doing so, undermining the character of mixed and family neighbourhoods.
- Future licensing decisions for the above District centres need to encourage a mixed, balanced, healthy and safe economy for all residents.
- The long term sustainability of Withington and Fallowfield as places for families to live and bring up children is threatened.

Key findings of Statistical Crime Data relevant to the impact of licensed premises

- 1.1 A report has been produced by Rachel Dursley Strategic Analytical Partnership Coordinator, and Jonathan Bradley Data Information Manager, of the City of Manchester Partnership Team, which demonstrates the crime and disorder issues in the Fallowfield, Wilmslow Road and Withington areas from 1 January 2009 to 31 December 2011. Alcohol-related offences are recorded by the use of an 'influence of alcohol-marker'. The full report can be found at Appendix 5.
- 1.2 The Key Findings of the report, are:

General

- The B and C Policing Divisions saw an overall decrease in crime of 13% in 2010, and a further reduction of 12% in 2011. However, although there were improvements in the total Fallowfield / Wilmslow Rd / Withington area, they were much less significant, at 8% (2010) and 1% (2011).
- In respect of total crime within the areas between 2009 and 2011, Fallowfield and Wilmslow Road, in particular, both experienced a much higher concentration of issues during the early hours of Saturday and Sunday, than they do during the rest of the week.
- The highest proportion of crimes with an influence of alcohol marker is in respect of Violence against the person.
- Shoplifting is the dominant crime in Fallowfield and Withington District Centres.
 The high number of shoplifting offences is due to the presence of some large
 supermarkets in the area. A scan of property stolen at one of these stores
 showed at least one in five items stolen was a form of alcohol.
- Police-recorded levels of ASB have been reducing across the City of Manchester as a whole, and this has been experienced within the identified Fallowfield, Wilmslow Road and Withington areas. However, levels of ASB within the 3 identified areas are still much higher than surrounding areas.
- All three zones (particularly Fallowfield) show more concentrated problems during the late night and early mornings at weekends.
- In each of the three areas, despite overall ASB levels falling, the percentage of the total of ASB occurring between midnight and 4am has risen:

	2009	2011
Fallowfield	42%	47%
Withington	15%	34%
Wilmslow Road	25%	38%
Total	32%	41%

Fallowfield

- Between 2009 and 2011, the numbers of crimes recorded with an influence of alcohol marker have increased year on year
- The total numbers of crimes recorded with an influence of alcohol marker in Fallowfield is almost twice the total for Withington and Wilmslow Road combined between 2009 and 2011.
- Fallowfield has experienced a 48% increase from 2009 to 2011 in the numbers of crimes recorded with an influence of alcohol marker
- The time profile for crimes recorded with an influence of alcohol marker shows a much stronger concentration in the late evening and the early hours of the morning.
- The dominant crime recorded with an influence of alcohol marker is Violence against the Person, which represents 66% of the total crimes (108 of 163 crimes).
- Across the B and C divisions as a whole, from 2009 to 2011, the average annual rate of ASB per square kilometre has been 343 incidents. In Fallowfield, it has been an average of 2180 per square km per year.

Withington

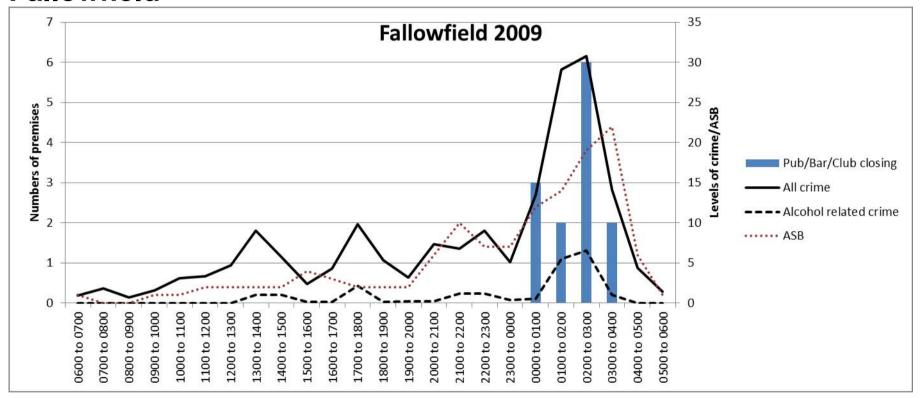
- Between 2009 and 2011, the numbers of crimes recorded with an influence of alcohol marker have increased year on year
- The numbers of crimes recorded with an influence of alcohol marker has increased by 129%. However, having regard to the relatively small numbers involved, care must be taken when considering the proportion of any change.
- The dominant crime recorded with an influence of alcohol marker is Violence against the Person, which represents 70% of the total crimes (23 of 33 crimes).
- Across the B and C divisions as a whole, from 2009 to 2011, the average annual rate of ASB per square kilometre has been 343 incidents. In Withington, it has been an average of 2309 per square km per year.

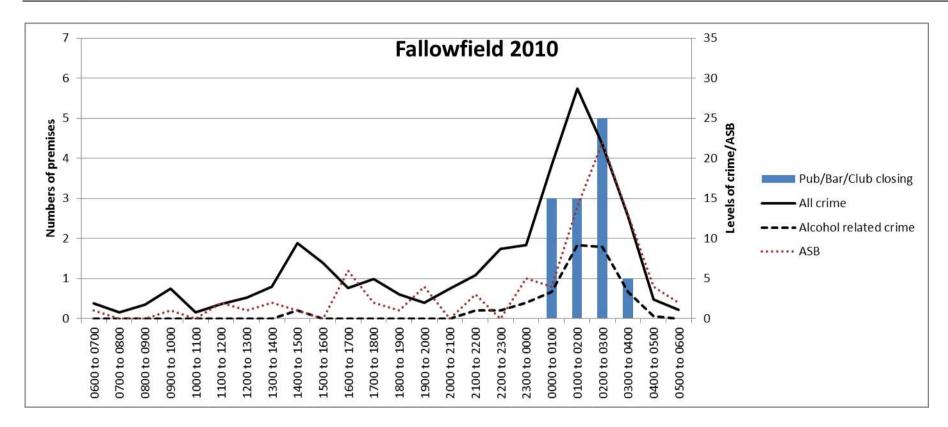
Wilmslow Road

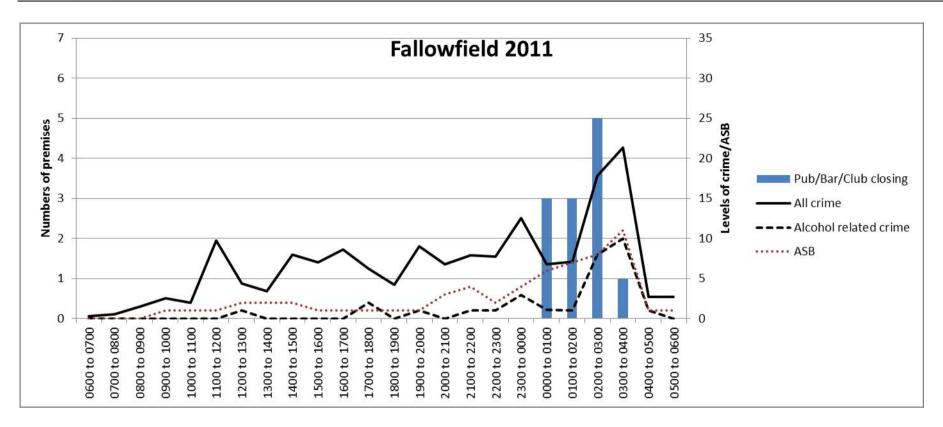
- The numbers of crimes recorded with an influence of alcohol marker has seen the largest proportional increase within the 3 areas of 220%. However, having regard to the relatively small numbers involved, care must be taken when considering the proportion of any change.
- There was a small reduction in 2011 in the number of crimes with an alcohol marker compared to 2010 (from 18 to 16) for Wilmslow Road. However, this figure is still higher than in 2009.
- The dominant crime recorded with an influence of alcohol marker is Violence against the Person, which represents 67% of the total crimes (26 of 39 crimes).

The following graphs chart the relationship between the rates of All Crime, Crimes with an influence of alcohol marker, and ASB for Fridays and Saturdays within the respective areas using the data provided in Appendix 5, along with the terminal hour of the alcohol-led premises i.e. the Pub/Bar/Club premises. The period used is from 6am on Friday morning until 6am on Sunday morning.

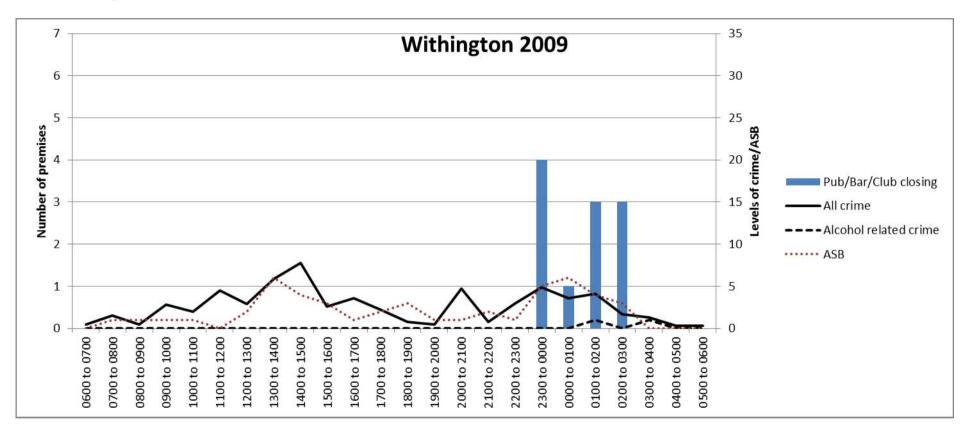
Fallowfield

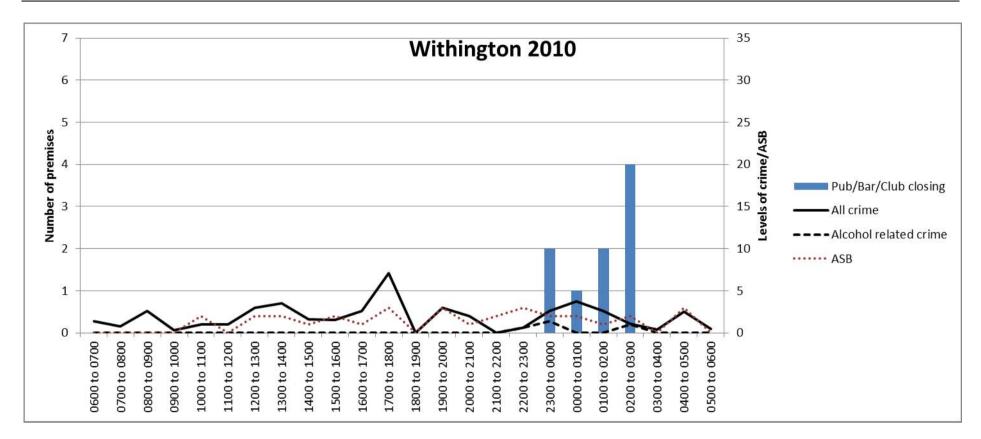


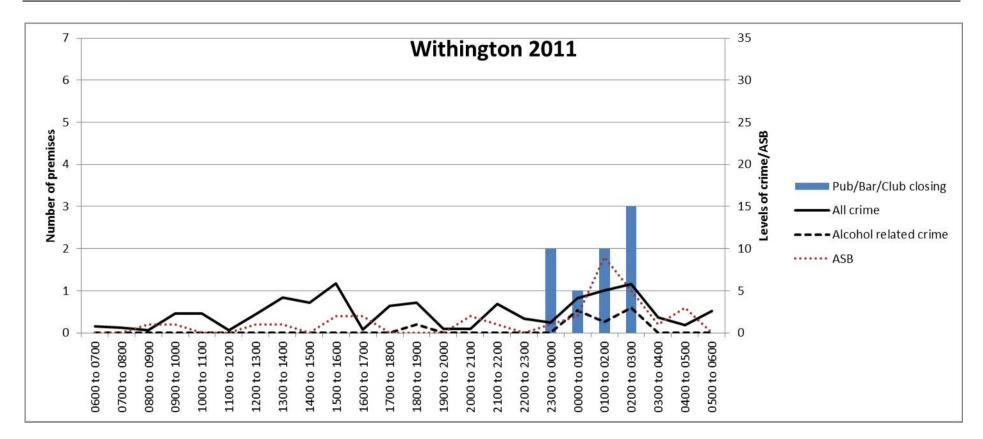




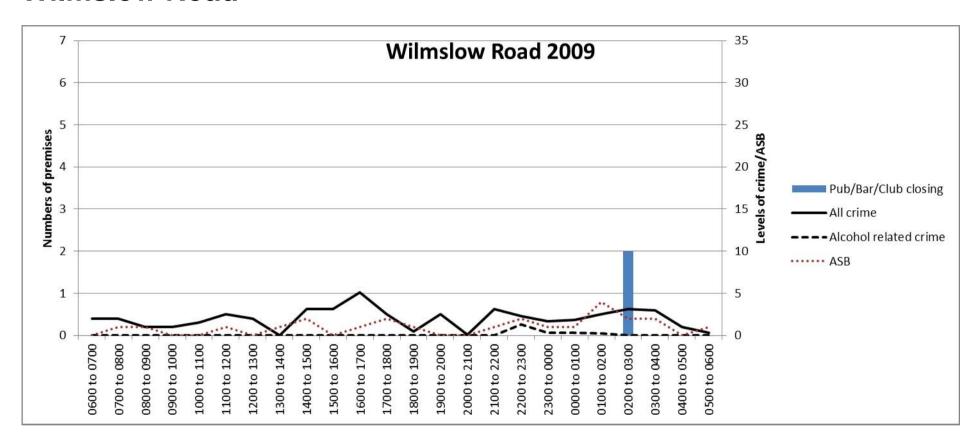
Withington

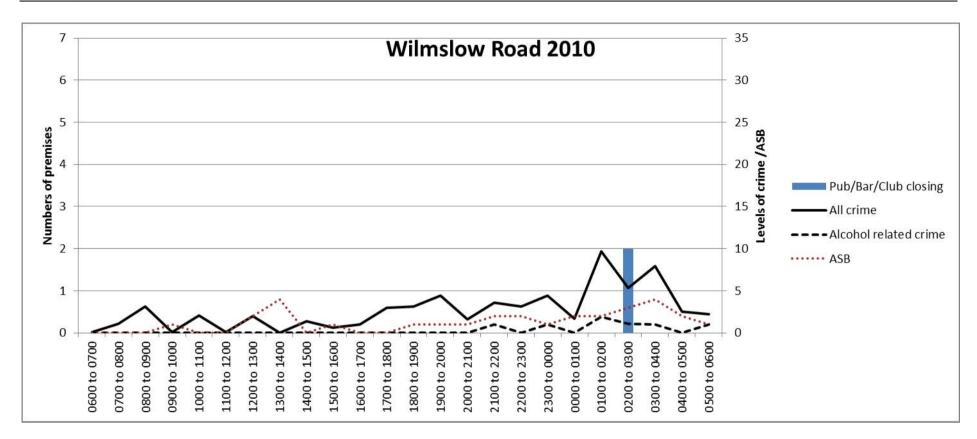


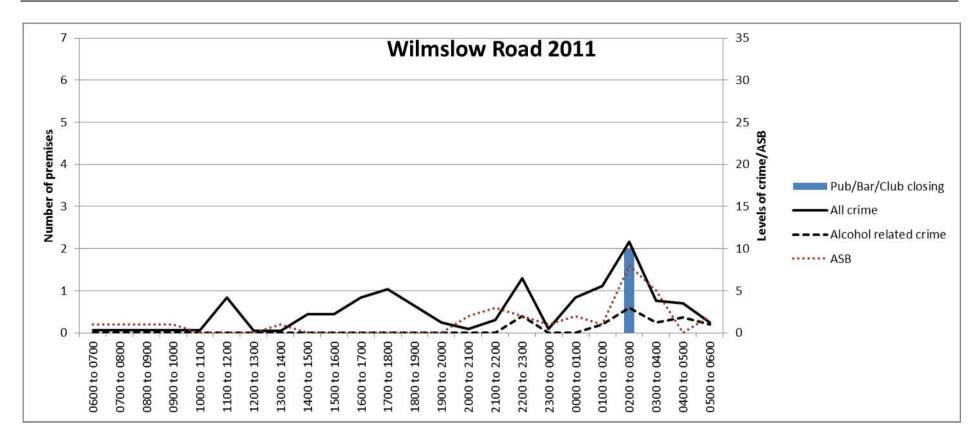




Wilmslow Road







Cumulative Impact Analysis, Fallowfield and Withington

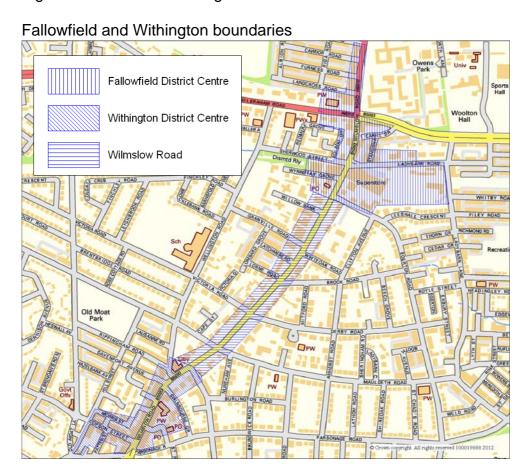
Produced by Rachel Dursley and Jonathan Bradley

First produced: 9 November 2011

Last revision: 9 March 2012

This report analyses crime and ASB data recorded by GMP during the calendar years 2009 -2011 in relation to the concentration of licensed premises in the Fallowfield and Withington areas.

The map below shows the District Centre boundaries for Fallowfield and Withington, together with the intervening section of Wilmslow Road:



All crime definition

The table below gives counts for all recorded crime within the three zones over the past three calendar years.

Fallowfield has seen small year on year reductions. Withington saw a big decrease in 2010, followed by a smaller increase in 2011, and the stretch of Wilmslow Road between the two centres has seen an overall increase of 5% from 2009 to 2011.

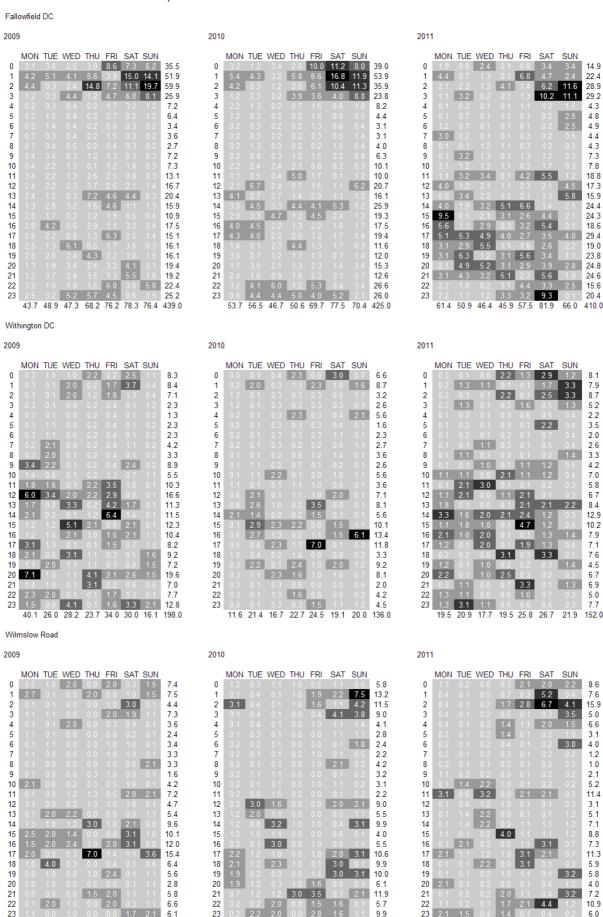
All crime totals, Fallowfield, Withington and Wilmslow Road corridor, 2009-2011

	2009	2010	Change from '09 to '10	2011	Change from '10 to '11	Total	Overall change from '09 to '11
Fallowfield DC	439	425	-3%	410	-4%	1274	-7%
Withington DC	198	136	-31%	152	12%	486	-23%
Wilmslow Road	146	162	11%	154	-5%	462	5%
Total	783	723	-8%	716	-1%	2222	-9%

These changes need to be seen in the light of wider trends. During 2010 the B and C Divisions within which Fallowfield and Withington are located saw an overall decrease in crime of 13%, followed by a further reduction in 2011 of 12%. Although there were also improvements in the target area being examined, they were much less significant, at 8% and 1% respectively.

The charts below show the time profiles of all crime over the past three years for each of the three zones. Fallowfield and Wilmslow Road in particular both experience a much higher concentration of issues during the early hours of Saturday and Sunday, than they do during the rest of the week:

All Crime Time Profiles, 2009-11



18.9 17.0 23.8 11.9 23.1 28.6

38.8 162.0

16.9 11.4 19.2 20.4 22.3 32.4 31.4

19.6

19.1 15.8 19.8 23.5 26.6 21.6 146.0

In Withington the percentage of crimes that happened between midnight and 0400hrs increased from 13% in 2009 to 20% in 2011, and along Wilmslow Road it increased from 18% to 24%. In Fallowfield the biggest percentage increases were seen between 1500hrs and 2200hrs. In 2009 this period accounted for 26% of all crime, and in 2011 it accounted for 40%.

Alcohol related crime

During the same three year period, the numbers of crimes flagged for influence of alcohol in the target area increased:

All crime totals with alcohol marker, Fallowfield, Withington and Wilmslow Road corridor, 2009-2011

2000 201	2009	2010	Change from '09 to '10	2011	Change from '10 to '11	Total	Overall change from '09 to '11
Fallowfield DC	42	59	40%	62	5%	163	48%
Withington DC	7	10	43%	16	60%	33	129%
Wilmslow Road	5	18	260%	16	-11%	39	220%
Total	54	87	61%	94	8%	235	74%

The time profile for these crimes shows a much stronger concentration in the late evening and the early hours of the morning, especially in the Fallowfield area:

Alcohol-related crime, combined time profiles for Fallowfield, Withington and Wilmslow Road corridor, 2009-2011

2009 2010 2011 MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 1.0 0.3 4 5 6 7 8 9 10 11 12 1.0 0.0 2.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 1.0 0.0 0.0 1.0 0.0 1.0 0.0 0.0 1.0 1.0 0.4 1.6 1.0 0.0 1.0 13 14 15 16 17 18 19 2.0 1.0 3.0 3.0 2.0 4.1 0.3 1.0 2.0 0.0 0.0 20 21 0.5 1.0 2.0 1.0 5.0 1.5 0.5 6.0 29 49 7.2 9.4 8.1 12.3 0.0 5.0 2.0 Withington 2009 2010 2011 MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN 2.0 1.0 1.0 1 2 3 4 5 6 7 1.3 3.0 1.0 0.0 0.0 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 2.0 1.0 0.0 1.0 1.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 8 9 10 11 12 13 14 15 16 17 18 19 20 21 0.0 1.0 1.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 1.0 0.0 0.0 1.0 20 2.0 1.0 0.3 0.0 0.0 0.0 0.0 0.0 0.0 0.0 1.0 22 0.6 0.0 0.0 3.0 2.0 1.0 1.0 0.0 2.0 1.0 Wilmslow Road 2009 2010 2011 MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN MON TUE WED THU FRI SAT SUN 1.2 0.0 0.0 0.0 1.0 1.0 4.0 1.0 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 1.2 0.0 0.0 1.0 1.0 5 6 7 0.7 0.7 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.1 0.3 0.0 0.0 10 11 0.0 0.0 13 14 15 16 17 18 19 20 21 0.3 1.3 0.0 1.0 0.0 0.0 0.0 0.0 0.0 0.0 1.0 0.0 19 20 21 0.0 0.0 0.0 0.0 1.0 1.0 3.0 0.0 1.3 2.0 0.0 22 23 1.0 1.0

0.0 0.0

0.0 3.0 0.8

0.2

1.0 2.0 2.0 1.0

6.0

1.0 1.0 2.0

7.0

The table below shows the crimes most commonly identified as having alcohol as a contributory factor:

Alcohol-related crime by Home Office Crime Category, 2009-2011

Home Office Crime	Fallowfield	Withington	Wilmslow	Total
Category	DC	DC	Road	
Violence Against the				
Person	108	23	26	157
Theft and Handling Stolen				
Goods	18	2	3	23
Criminal Damage	18	2	3	23
Other Offences	13	3	4	20
Sexual Offences	2	2	2	6
Drug Offences	2		1	3
Burglary	2			2
Robbery		1		1
Total	163	33	39	235

Crime types

The table below indicates the main types of crime committed in the target zones over the past three calendar years. The high numbers of shoplifting offences is due to the presence of some large supermarkets in the area. A scan of property stolen at one of these stores during the period showed than at least one in five items stolen was a form of alcohol.

Most common crime types, Fallowfield, Withington and Wilmslow Road corridor, 2009-2011

	Fallowfield	Withington	Wilmslow	Total
	DC	DC	Road	
Shoplifting	317	129	23	469
Less Serious				
Wounding	235	66	74	375
Miscellaneous Theft	184	55	35	274
Deception	23	12	146	181
Criminal Damage	79	32	32	143
Theft from Person	74	10	11	95
Drugs offence	48	17	26	91
Theft of cycle	45	28	14	87
Theft from Vehicle	36	19	23	78
Burglary other than				
dwelling	41	23	8	72

ASB

Police-recorded levels of ASB have been reducing year on year across the City of Manchester as a whole, and the area in question reflects these wider trends:

ASB totals, Fallowfield, Withington and Wilmslow Road corridor, 2009-2011

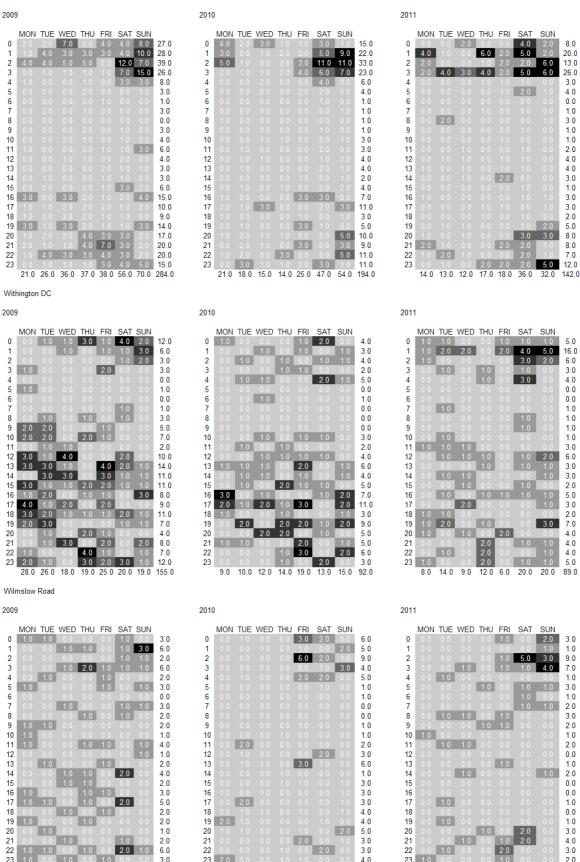
	2009	2010	Change from '09 to '10	2011	Change from '10 to '11	Total	Overall change from '09 to '11
Fallowfield DC	284	194	-32%	142	-27%	620	-50%
Withington DC	155	92	-41%	89	-3%	336	-43%
Wilmslow Road	67	77	15%	52	-32%	196	-22%
Total	506	363	-28%	283	-22%	1152	-44%

Levels of ASB in the target area are still much higher than surrounding areas, if measured by geographic density. Across the B and C divisions as a whole, from 2009 to 2011, the average annual rate of ASB per square kilometre has been 343 incidents, across the 3 zones in question it has been 564 incidents, rising to 2309 incidents per square km per year in Withington and 2180 in Fallowfield.

The charts below show the time profile of ASB incidents over the past three years for each of the three zones. All three zones (particularly Fallowfield) show more concentrated problems during the late night and early morning at weekends:

ASB Time Profiles, 2009-11

Fallowfield DC



10.0 7.0

8.0 11.0 8.0 13.0 10.0 67.0

7.0 11.0 4.0

5.0 22.0 14.0 14.0 77.0

2.0 6.0

5.0

3.0 10.0 13.0

13.0

Across the three areas combined, the percentage of ASB incidents that happened between midnight and 0400hrs increased from 32% in 2009 to 41% in 2011. In Fallowfield the increase was from 42% to 47%, in Withington from 15% to 34%, and along Wilmslow Road from 25% to 38%.

Litter Problems

- 1.1 Anecdotal information from Adrian Hales, the Operations Team Leader for the South SRF Neighbourhood Delivery Team reports that weekends and Mondays experience very high issues with litter from fast food takeaways, and antisocial behaviour such as:
 - Domestic bins overturned and emptied onto the streets
 - Wheelie bins put on top of parked cars
 - Smashed bottles on streets
- 1.2 Such antisocial behaviour is considered as a regular weekend occurrence. Fallowfield is the worst area for such issues in South Manchester and requires the following resources:

Monday – Friday

- 2 Full time Ped-Orderlies (i.e. litter picker with a cart), working between Mauldeth Road and Platt Fields Park
- 1 Small Mechanical Sweeper (3 hrs. per day)
- 1 Litter Bin team

Saturday and Sunday

- 1 Small Mechanical Sweeper
- 1 Litter Bin Team
- 3 Men Litter Picking (3 hours per day)
- 1.3 The full-time Ped-Orderlies specifically cover between Mauldeth Road and Platt Fields Park (Fallowfield District Centre and Wilmslow Road areas), specifically because of the amount of litter generated by the student population and the amount of fast food premises. There is correlation between the allocation of resources and the number of takeaways in the respective areas. There are a total of 17 takeaways in Fallowfield and Wilmslow Road areas, compared to 5 in Withington.

Area	Number of Takeaways
Fallowfield District Centre	16
Wilmslow Road	1
Withington	5

1.4 Although there is only 1 takeaway in the Wilmslow Road area, the requirement for the cleansing operation to cover up to Mauldeth Road appears to be because people are likely to consume their takeaway food en route home to those residential areas in Withington and Old Moat.

Designated Public Places Order

- 1.1 One of the alternative measures suggested in the s182 Guidance is the implementation of Designated Public Place Orders (DPPO's). DPPO powers enable local authorities to designate places where restrictions on public drinking apply. However, they can only be used in areas that have experienced alcohol-related disorder or nuisance.
- 1.2 Both Fallowfield (2005) and Withington (2010) have had Designated Public Place Orders made in respect certain parts of those areas.
- 1.3 These powers are not intended to disrupt peaceful activities, for example families having a picnic in a park or on the beach with a glass of wine. While police officers have the discretion to require an individual to refrain from drinking regardless of behaviour, the advice from the Home Office is that it is not appropriate to challenge an individual consuming alcohol where that individual is not causing a problem. It is important to note that these powers do not make it a criminal offence to consume alcohol within a designated area. An offence is committed if the individual refuses to comply with a constable's request to refrain from drinking.
- 1.4 Penalties for this offence include:
 - penalty Notice for Disorder (PND) £50; or
 - arrest and prosecution for a level 2 fine, maximum of £500
- 1.5 Replacement signs that will bring the public's attention to the fact that DPPO's are in force in Withington and Fallowfield are in the process of being erected at strategically located positions to ensure effective enforcement of the Orders. This work is being co-ordinated by Phil Appleby, Locality Manager for South Strategic Regeneration Framework.

Manchester State of the Wards Report 2010/11

- 1.1 The State of the Wards Report presents an overview of performance at ward and neighbourhood level and highlights progress in a number of areas across the city, so that there is a better understanding of where improvement effort needs to be targeted. The Report is intended for use by Council members, the Manchester Partnership, public services, residents, schools and businesses. The report has two main purposes: to understand issues at ward and neighbourhood level and to inform priorities for the future.
- 1.2 Whilst the State of the Wards Report gives a more general overview of the issues in the ward areas, rather than the distinct areas focussed on as part of the area reviews, which concentrate on the district centres, they do give an idea of what the wider issues are in the areas.
- 1.3 One indicator in the report is the percentage of respondents who perceive a problem with drunk and/or rowdy behaviour in the local area:

Fallowfield	19%
Old Moat	34.4%
Withington	30.9%

1.4 Only the City Centre, Rusholme and Woodhouse Park have a higher percentage of respondents who perceive drunk and/or rowdy behaviour as a problem in the area, than in Old Moat and Withington.

Fallowfield District Centre Action Plan 2010-2020

- 1.1 The Fallowfield District Centre Action Plan sets out a ten-year strategy to guide future change in the centre. It is intended to inform decision-making, to realise change, and achieve the vision for Fallowfield District Centre. The Action Plan responds to issues highlighted in consultation with residents, businesses and public organisations.
- 1.2 Between February and June 2010 a public consultation was undertaken by the Council. The findings of the public consultation, along with detailed analysis of the district centre formed the basis of the final district centre plan produced in late 2010.

Findings from the Action Plan

- 1.3 The large resident student population means that the age groups 15-19 and 20-24 account for 39.9% of Fallowfield ward's population, compared with an England average of 13.4%.
- 1.4 A quarter of housing is rented from private landlords compared to one fifth for Manchester as a whole.
- 1.5 "...the high proportion of students has undoubtedly influenced the increased presence of bars, takeaways, and homes in multiple occupation (HMO's). In turn, this has resulted in environmental concerns"
- 1.6 "The increasing numbers of bars and takeaways have had a cumulative impact on Fallowfield District Centre. The disproportionate amount of these establishments can cause associated antisocial behaviour, litter, noise and air pollution...it is also recognised that a large number of students can have a disproportionate effect on the environment and local economy.
- 1.7 The highest priorities for Fallowfield, as identified in the consultation, are:
 - Reducing antisocial behaviour
 - Increasing security in the home and on the street
 - Improving the street environment
 - Attracting a wider range of shops to the centre
 - Increasing the amount of food-quality public space
- 1.8 The Action Plan sets out a series of initiatives and site-specific projects geared towards achieving the vision. One of which is for effective management of the District Centre. A Key Management Initiative is 'Licensing Controls' to ensure a strategic approach to the consideration of licensed premises in the area. The benefits are identified as controlling potential contributors to antisocial behaviour.

Withington Village Action Plan 2010-2020

1.9 Similar to Fallowfield, a Key Management Initiative is 'Licensing Controls'. For Withington, the aim is to "agree strategy to limit where possible the impact of licensed premises......and to protect Withington from any significant disbenefits arising from the evening-economy service sector, and particularly late-hours opening."

Key Findings from the Consultation Statement – Fallowfield and Withington District Centre Action Plans

- 1.10 In developing the above plans for Fallowfield and Withington District Centres, the Council undertook a comprehensive programme of consultation and public engagement. Vision Twentyone, an independent research and consultation company, were commissioned to analyse the consultation responses and produce a 'consultation statement'. The findings of the consultation were as follows:
 - The highest-rated key priorities in both Fallowfield and Withington were reducing antisocial behaviour. 75% of respondents in Fallowfield and 78% in Withington rated this as 'very important'.
 - Typically, the key priorities in both Fallowfield and Withington were the same for non-students and students alike, although there was a significant difference in opinion in respect of 'exploring the potential to limit the number and operating hours of takeaways and bars'.
 - In Fallowfield, 69% of non-students agree that this (limiting the number and operating hours of takeaways and bars) is a priority. However, 62% of students disagree.
 - In Withington, 66% of non-students agree that it is a priority, but 58% of students disagree

The Development of Licensed Premises within the Areas

Terminal Hours for Licensed Premises

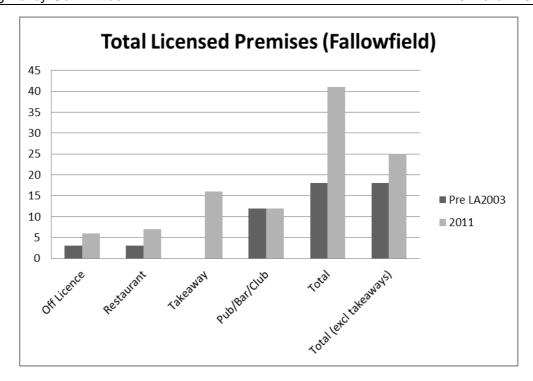
1.1 Prior to the Licensing Act 2003, the latest permitted terminal hour for licensed premises would typically be as follows:

Pub/Bar/Club (no public entertainment licence)	11pm (Mon to Sat), 10.30pm (Sunday)
Pub/Bar/Club (with public entertainment licence)	2am (Mon to Sun)
Restaurant	Midnight (Mon to Sat), 11.30pm (Sunday)
Off Licence	11pm (Mon to Sat), 10.30pm (Sunday)

- 1.2 Although no closing time was specified under the previous licensing regime, there was a 20 to 30 minute 'drinking up' period enforced. The implementation of the Licensing Act 2003 has given operators the flexibility to extend the permitted hours they have to conduct licensable activities, with the potential of now being licensed up to 24 hours a day.
- 1.3 Additionally, prior to the implementation of the Act, late night refreshment (the provision of hot food or hot drink between 11pm and 5am) was not licensed. Therefore, many hot food takeaways that were previously operating were brought under the licensing regime with effect from 24 November 2005, although there are no accurate licensing records of their operating hours prior to the Licensing Act 2003 coming into effect.
- 1.4 The charts below use the terminal hour for alcohol sales on Friday and Saturday nights for licensed premises in the 3 areas, given that these nights have been identified as the highest risk for crime and disorder and antisocial behaviour.

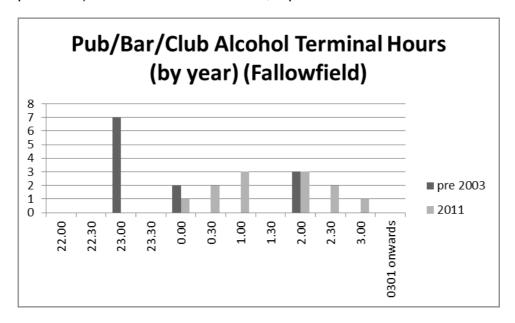
Fallowfield

1.5 As is shown in the chart below, there has been no increase in the number of Pub/Bar/Club type premises in Fallowfield since before the Licensing Act 2003 came into effect.



- 1.6 There has been an increase in the number of off-licences, an increase of 100% (from 3 to 6). There are 2 off licences licensed to sell alcohol beyond 11pm (Gaffs until 3am, and Lloyds News until 2am). It should also be noted that the premises licence for another off-licence was revoked in October 2011, which would have put the total at 7 premises prior to this time. Another key issue identified by local residents is the impact of street drinking in the area, particularly students pre-loading en route to licensed premises.
- 1.7 The number of restaurants has increased from 3 to 7. However, no restaurants are licensed beyond midnight on any day of the week.
- In respect of late night takeaways, late night refreshment was not licensed in Manchester prior to the implementation of the Licensing Act 2003 and so it is not possible to assess whether the number of takeaways has increased. There has been no increase since 2006 and it is likely that the majority of these premises were operating prior to November 2005. However, of the 16 takeaway premises, the earliest closing hour is 2am (2 premises) between Monday and Thursday, whilst there are 10 premises licensed to open until 4am or later. On Friday and Saturday, only 1 takeaway must be closed by 2am and 11 are permitted to open until 4am or later.
- 1.9 Although the numbers of alcohol-led licensed premises may have not significantly altered since the implementation of the Licensing Act, there has been a significant shift in the hours that premises are licensed to sell alcohol. There has, however, been an increase in the number of off-licence premises in Fallowfield District Centre, which have doubled from 3 to 6.
- 1.10 Of the 12 Pub/Bar Club type premises licensed for the sale of alcohol for consumption on the premises, 7 had a terminal hour of 11pm and 2 had a terminal hour of midnight, a total of 9 (i.e. 75% of the total premises). Only 3 of the 15 premises (25%) were licensed until 2am.

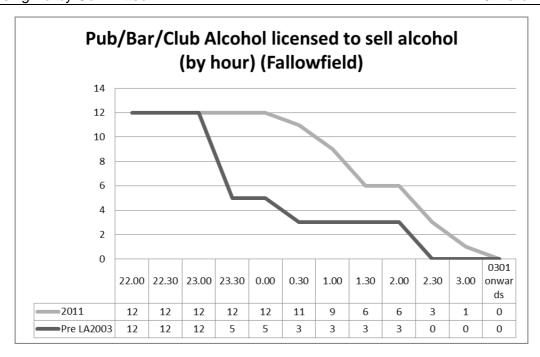
1.11 In 2011, there are 6 premises licensed for the sale of alcohol until at least 2am, (i.e. double the number prior to 2005 and 50% of the total Pub/Bar/Club premises). 3 are licensed until 2am, 2 premises until 2.30am and 1 until 3am.



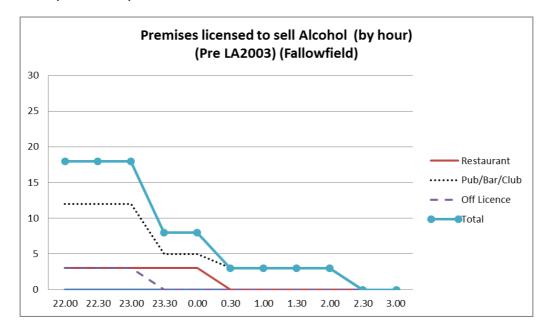
1.12 Another noticeable element of the 6 premises licensed until 2am or later is the size and nature of the operation. All, with the exception of Trof (140), have capacities of at least 200, resulting in large numbers dispersing from the area together.

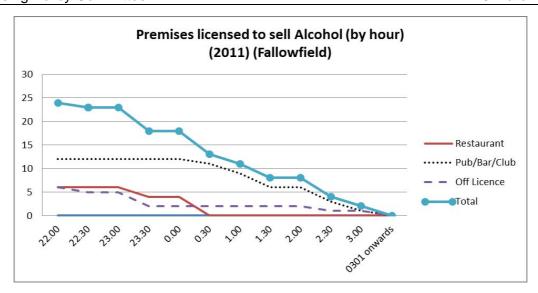
Premises	Capacity (either on current licence or as per previous Public Entertainment Licence)
Twisted	(200 1 st Floor, 300 Ground Floor)
Baa Bar	410 Total Capacity
Revolution	300
Cheshire Cat	200
Orange Grove	200

- 1.13 There is also now 3 times the number of on-licensed premises licensed until 1am, than there was prior to the implementation of the Licensing Act (9 compared to 3). Additionally, there is also an off licence now licensed until 2am.
- 1.14 There has, therefore, been a significant shift in the lateness of the terminal hour for on-licensed premises in Fallowfield since the Licensing Act came into force.



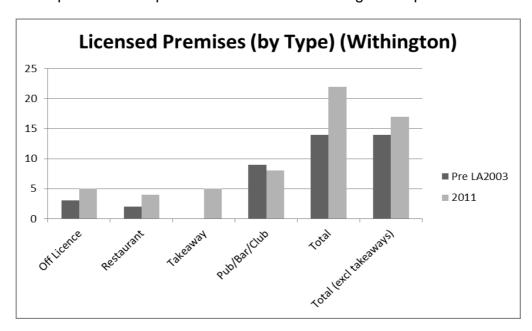
1.15 However, this increase has not been reflected in the hours that restaurants are licensed, which are only licensed until midnight, which was the latest permitted hour prior to implementation of the Act.





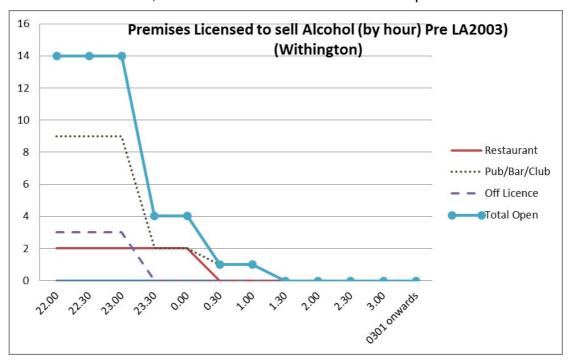
Withington

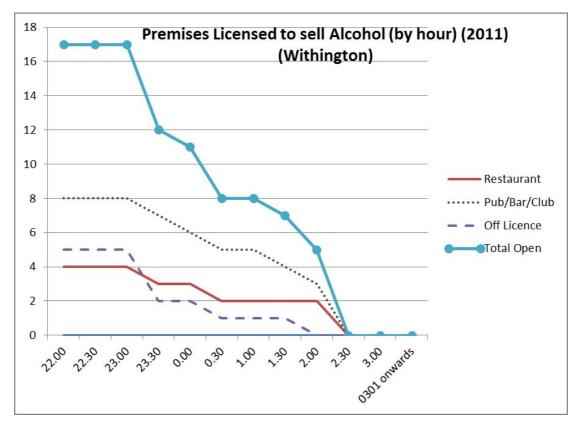
1.16 The number of Pub/Bar/Club type premises has actually reduced (from 9 to 8) since prior to the implementation of the Licensing Act to present.



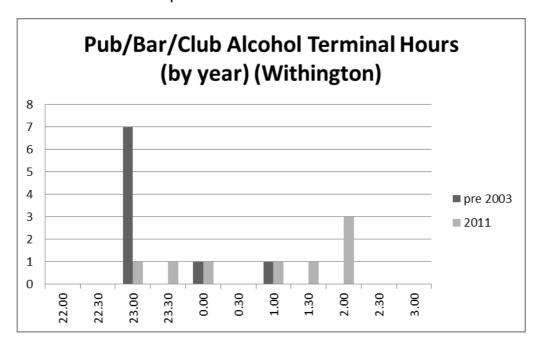
- 1.17 The number of off licences has increased from 3 to 5. Three premises remain licensed until 11pm, although there are now premises licensed until midnight and 1.30am.
- 1.18 One significant difference, however, with bars in Fallowfield is that there is far less capacity in Withington's bar premises which are significantly smaller, which results in lower numbers dispersing particularly as the premises close, as well as throughout the night.
- 1.19 The number of restaurants has doubled in Withington from 2 to 4. However, unlike Fallowfield where there are no restaurants licensed beyond the former standard hours of midnight, 2 restaurants in Withington are licensed until 2am.

- 1.20 There are significantly less takeaway premises in Withington (5) than in Fallowfield (16). Similar to Fallowfield, the number has not increased since 2006 and so it is likely that most were operating prior to the implementation of the Licensing Act. It is possible that the lower numbers of takeaways in this area when compared to Fallowfield is due to lower numbers of bars and people frequenting them.
- 1.21 Similar to Fallowfield, there has been a shift towards later permitted hours:



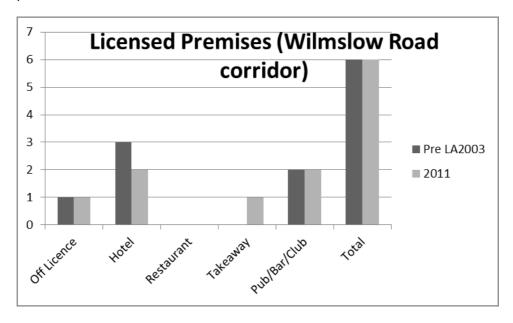


- 1.22 Prior to the implementation of the Act, 7 of 9 licensed Pub/Bar/Club premises had a terminal hour of 11pm, 1 until midnight and 1 until 1am. No premises had permitted hours beyond 1am.
- 1.23 Now only 1 of the 8 Pub/Bar/Club premises has a latest permitted terminal hour of 11pm. 4 are now licensed beyond 1am, with a latest terminal hour in the area of 2am for 3 premises.

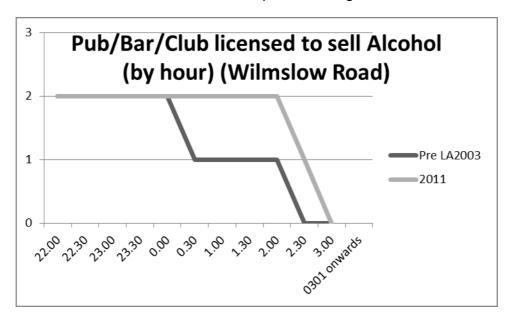


Wilmslow Road

1.24 Pre LA2003, there were 6 licensed premises of which 3 were hotels, 2 Pub/Bar/Clubs, and 1 off licences. There has been no increase in the numbers of licensed premises, and no difference to the number of Pub/Bar/Club premises which remains at 2.



1.25 However, similar to Fallowfield and Withington, both premises have extended their permitted hours for the sale of alcohol on Friday and Saturday until 2am and 2.40am (from midnight and 2am respectively). Additionally, the off licence increased its terminal hour from 11pm to midnight.



- 1.26 As of 2011, there is now 1 licensed takeaway in the area, which is licensed until midnight.
- 1.27 Due to the location of the licensed premises in this Wilmslow Road area, the issues are more-likely to be linked with the Fallowfield evening and night time economies. Therefore, whilst the premises are considered in isolation, the issues of the Fallowfield District Centre are likely more relevant to the Wilmslow Road section than those in Withington.

PROPOSED REVISION TO MANCHESTER STATEMENT OF LICENSING POLICY

1.1 Within the current section of the Policy titled 'The Cumulative impact of Concentration of Licensed Premises', insert a new section at the end of paragraph 3.34 as follows:

"Cumulative Impact and Saturation Policy in respect of Fallowfield, Wilmslow Road and Withington

- 3.35 The special cumulative impact and saturation policy shall apply to the geographical areas identified on the maps at Appendix 9 of this Licensing Policy.
- 3.36 The Council has received satisfactory evidence (considered by Licensing Policy at its meeting onand Council on) that the cumulative impact of licensed premises in the geographical areas identified on the maps at Appendix 9 are undermining the promotion of the licensing objectives in relation to crime and disorder and public nuisance. The evidence for the adoption of this policy is available on the City Council's website, attached to the report to the above committee.
- 3.37 The Council has therefore adopted a special policy in respect of those specified areas.
- 3.38 The effect of the special policy is that the Council will refuse applications for a new premises licence or club premises certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 3.39 In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.
- 3.40 The special policy applies to all licensable activities.
- 3.41 Applicants in respect of premises located in the geographical area defined above will need to address the implications of the special policy in their operating schedule in order to rebut this presumption.
- 3.42 The special policy does not relieve responsible authorities or interested parties of the need to make relevant representations in relation to individual applications. Before the Council can lawfully consider giving effect to its special policy a relevant representation must have been made, if no representation is received it remains the case that any application must be granted in terms that are consistent with the operating schedule and any relevant mandatory licensing conditions.

- 3.43 All responsible authorities and interested parties may refer, where appropriate in their representation, to the evidence considered by the Council in the adoption of this special policy.
- 3.44 The Council will not use this special policy as grounds for revoking an existing licence or certificate when relevant representations are received about problems with those premises.
- 3.45 The special policy does not include provisions for terminal hours in respect of premises in the areas identified in Appendix 9, nor does it impose quotas on the number of licensed premises permitted or the capacity of those premises.
- 3.46 The Council will regularly review the special policy in place."
- 1.2 Re-number existing paragraphs from 3.35 to 3.40 to allow for the insertion of the above paragraphs.
- 1.3 Insert a new Appendix, entitled "Appendix 9 maps of Fallowfield, Wilmslow Road and Withington to which a special policy applies".