

Manchester City Council Report for Resolution

Report to: Licensing Policy Committee – 21 January 2013

Subject: Review of the Impact of Licensed Premises in Fallowfield – Consultation Analysis

Report of: The Strategic Director of Neighbourhood Services

Purpose of Report

This report presents the Committee with the results of the public consultation on proposed special policies in areas of Fallowfield, Old Moat, Withington and Levenshulme wards, and requests the Committee to consider whether any such special policies should be recommended to Full Council to be adopted.

Recommendations

The Committee is asked to:

1. Consider the proposed policy approaches detailed in Section 7 of this report and determine the special policy as set out in Appendix 8, subject to any amendments considered appropriate for the promotion of the licensing objectives by the Committee.
2. Incorporate within the special policy the considerations and reasons of the Committee in reaching its decision in accordance with (1) above.
3. Recommend to Council that they adopt the special policy, as determined by the Policy Committee in accordance with (1) and (2) above, for incorporation within the Council's Statement of Licensing Policy.
4. Request that the following areas of land are proposed for inclusion within the special policy area as part of the next review of Licensing Policy:
 - a) The undeveloped land at corner of Egerton Road and Clifton Avenue.
 - b) The land at the rear of the Ram and Shackle including the Ram Lodge.
5. Request officers to undertake an annual review of levels of alcohol-related crime, general crime and antisocial behaviour, in both the special policy area and Withington.

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 proposed Special Licensing Policy will play an essential role in establishing that only such premises that are able to demonstrate that they shall not add to existing cumulative impact shall be licensed in the special policy areas, which will positively contribution 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 proposed Special Licensing Policy will play an essential role in establishing only those premises that are able to demonstrate that they shall not add to existing cumulative impact shall be licensed in the affected areas, thereby ensuring the promotion of 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

None

Financial Consequences – Capital

None

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Background documents

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 Amended Guidance issued under Section 182 of the Licensing Act 2003, October 2012
Review of the Impact of Licensed Premises in Fallowfield and Withington, Licensing Policy Committee, 19 March 2012
Original Response documents to the Public Consultation

1 Introduction

- 1.1 On 19 March 2012, the Licensing Policy Committee considered a report entitled 'Review of the Impact of Licensed Premises in Fallowfield and Withington' detailing evidence of crime and disorder and nuisance in certain areas of Fallowfield, Withington and Wilmslow Road.
- 1.2 The Committee requested that officers consult on a proposed amendment to the Council's Statement of Licensing Policy, namely that a special policy is adopted that would create a presumption that in three distinct areas identified as 'Fallowfield', 'Withington' and 'Wilmslow Road' (as shown in the consultation response document at Appendix 1), applications for new premises licences, club premises certificates or variations to those authorisations would normally be refused, following relevant representations, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives.
- 1.3 The consultation sought views on the proposed special policy for the areas of Fallowfield, Withington and Wilmslow Road, including:
 - Whether there should be a special policy for the identified areas
 - The boundary of any areas for which a special policy should have effect
 - The extent of the special policy in any such areas
- 1.4 The consultation lasted 12 weeks between 1 June and 24 August. Consultation documents (at Appendix 1) were sent to all holders of premises licences and club premises certificates within the boundaries of the proposed areas, local resident associations, Ward Members, trade representatives. The

consultation documents were also made available online at the Public Consultations page of the Council's website and an online response facility was also made available. A representative of the Licensing Unit attended local residents and Pubwatch meetings to raise awareness of the proposed policy and the consultation.

2 Responses to the Consultation

- 2.1 A total of 73 responses were received during the consultation period. No responses were received out of time.
- 2.2 The majority (68%) of respondents were local residents with a total of 50 responses.
- 2.3 Only 2 responses (3%) were received from the licensed trade, both from Roger Khoryati, from McDonalds – an individual response and one on behalf of McDonalds, Nandos, and Subway.
- 2.4 'Other' respondents consisted of Greater Manchester Police, South Manchester Regeneration Team, Public Health Manchester, University of Manchester Residential Services, University of Manchester Students' Union, Corridor Manchester, Manchester Metropolitan University, the Student Safety Tactical Partnership.
- 2.5 Responses were received as below:

Respondent Type	Total	Percentage
Local Resident	50	68%
Ward Councillor	6	8%
Residents Association	4	5%
Local Business (licensed)	2	3%
Local Business (not licensed)	1	1%
Other	8	11%
Local Resident & Local Residents Association	1	1%
Local Resident & Local Business	1	1%
Total	73	100%

- 2.6 Summary details of all responses are attached at Appendix 2. Some responses did not answer the consultation questions as specifically posed, but where an answer to a consultation question could properly be inferred from their response, it has been recorded as though it were a direct response. Where no answer could properly be inferred, it was recorded as 'Not stated'.
- 2.7 Appendix 3 contains details of the actual responses received to the consultation. The original responses shall be made available at the Committee hearing.
- 2.8 The responses in respect of each individual area are considered in more detail below. Proposals how to address issues arising out of those responses are detailed in section 7.

3 Fallowfield

- 3.1 Detailed below are the responses to the questions proposed in the consultation in respect of the defined 'Fallowfield' area.

Q1. Do you consider that a special policy should be adopted in respect of the cumulative impact of licensed premises within the identified area of Fallowfield?		
	Number of Responses	Percentage of responses
Yes	69	95%
No	3	4%
Not stated	1	1%

- 3.2 Clearly, there is overwhelming support for a special policy in Fallowfield, with 95% of respondents agreeing that it should be implemented. Reasons given commonly refer to the increase in problems over the years associated with licensed premises, such as vandalism, noise nuisance, and litter.

“The steady growth in the number of licensed premises and the relentless extension of their licensing hours during the last 9 years has led to a significant increase in noise nuisance, vandalism, and alcohol induced anti-social behaviour which has severely affected local residents and blighted our local environment.”

(Resident)

“There are already many bars in the area. Drinkers leaving these bars affect the residents with night time noise, antisocial behaviour - eg, tipping bins over, etc.”

(Resident)

“I have lived in Fallowfield for 37 years and since 24hr licensing has come into force there is a much greater amount of disturbance at night from drunken people leaving bars at 3,4 and 5am in the morning. The proliferation of bars has also led to an increase in rubbish accumulation of bottles and cans in the street. The disturbances and nuisances occur through the week and are not confined to the weekend drinking.”

(Resident)

- 3.3 The 3 responses that did not consider a special policy should be adopted were the 2 licensed trade responses (McDonalds, McDonalds / Nandos / Subway), and the University of Manchester Students Union.
- 3.4 In giving the reasons for their responses, McDonalds and McDonalds / Nandos / Subway, only make reference to their objections being in relation to the special policy incorporating late night refreshment.

“The adoption of a cumulative impact policy which restricts the operating hours of hot-food premises would be a disproportionate

response. This will negatively impact on local businesses whilst doing little to tackle the problems arising from existing premises.”

(McDonalds)

- 3.5 The response from the Students Union considers that the policy would be detrimental to the local economy and disputes the policy would have any positive impact on the local issues identified in the original report considered by the committee.

“As the policy would only affect licensees wishing to enter the area, and not those who are already trading (apart from the refusal of amendments to pre-existing licenses), encouragement of Best Practice would be lost and a competitive market that encourages best practice would essentially be closed to new (and potentially more responsible) traders. The policy would not help residents who are already being affected by the cumulative effect of licensed trade within Fallowfield and Withington. As this policy by-passes restriction on licensed trade to those already trading, then issues of noise and anti-social behaviour already being felt are not tackled.”

(Students Union)

Q2. Do you agree with the boundary of the area "Fallowfield" being subject to a special policy?		
	Number of Responses	Percentage of responses
Yes	62	85%
No	5	7%
Not stated	5	7%
Neutral	1	1%

- 3.6 The vast majority (62/73) stated in their responses that they agreed with the proposed boundary although 12 actually proposed changes to the boundary.
- 3.7 3 were for the Fallowfield Campus to be included. Where given, the reasons for doing so by both were ‘for completeness’.
- 3.8 6 respondents proposed that the currently undeveloped land at the corner of Egerton Road and Clifton Avenue be included (Note: this same section of land is often referred to the ‘St John’s site’ as it was a former St John’s Ambulance base. It has also been included in another 7 responses for within the policy boundary for ‘Wilmslow Road’)
- 3.9 A photograph showing this proposed land is included at Appendix 5.

Where given, the reason for including this area is in because of the potential for development of the land with licensed premises.

“However, I would welcome the inclusion of the St. John site, since any undeveloped land could be used in the future to sell alcohol.”

(Resident)

Q3. Do you consider that this (policy) approach in 'Fallowfield' is:		
	Number of Responses	Percentage of responses*
Not required at all	1	1%
Too restrictive	2	3%
Just right	66	90%
Not stated	4	5%
* Due to the rounding of numbers when calculating as percentages, the total only tallies 99%		

- 3.10 90% of respondents felt that the proposed policy approach in Fallowfield was 'just right'. Reasons commonly given were that it was due to there being already too many late night licensed premises:

“The Fallowfield districted reached saturation point some time ago, focus may now be shifted to quality establishments.”

(Fallowfield Councillor)

“This policy is long overdue. Fallowfield centre is already over saturated with licensed hours in licensed premises and just cannot be allowed to develop further in this direction. This policy will help to stop the problems linked to this situation getting worse.”

(Resident)

“The area would become even more problematic if more licensed premises were allowed to open or extend their hours, so this policy is very much needed.”

(Greater Manchester Police)

- 3.11 However, it was recognised by some respondents that exceptions to the policy could be appropriate in certain circumstances:

“I would welcome any new businesses, including bars, that won't have a negative impact on the area. If they can't demonstrate that they won't, then I don't want them here.”

(Resident)

“there needs to be more variety in provision in this area, to dilute the anti social behaviour that arises from mono-culture. Restricting more very similar licences will make it less likely that worse behaviour ensues.”

(Resident)

- 3.12 Alternatively, the Students Union considered the special policy as 'not required at all':

“...the Students’ Union is not convinced that the policy proposed will affect the areas identified in any concrete way – until the policy is amended to be of more public benefit, it remains unclear that there is any need for this policy at all. Amendment could change the Students’ Union’s position on this.”

(Students Union)

- 3.13 Additionally, McDonalds considered the policy as ‘too restrictive’ in respect of it incorporating late night refreshment:

“The adoption of a special policy which covers hot food premises will limit the ability of local businesses to expand to meet demand at a time when authorities, at all levels, should be doing everything they can to encourage businesses to grow.”

(McDonalds)

Q4. Do you consider that there should be amendments to the special policy for 'Fallowfield'?		
	Number of Responses	Percentage of responses
Yes	44	60%
No	25	34%
Not stated	4	5%

- 3.14 Of the 44 responses stating that there should be amendment to the policy, 36 (82%) proposed that Temporary Event Notices shall also be captured under the special policy. However, Temporary Event Notices cannot be incorporated within a Cumulative Impact Policy. The s182 Guidance states (my emphasis):

13.29 “The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.”

- 3.15 By its nature, “cumulative impact” relates to the effect of a concentration of many premises (Guidance 13.36). Temporary Event Notices are unlikely to cause a cumulative, ongoing impact due to the fact that they are time-limited one-off events, restricted in number and so unlikely to create a ‘cumulative’ ongoing effect.
- 3.16 2 responses proposed that the policy should incorporate a review of all existing licensed premises within the area. However, a special policy cannot have such an effect and so this proposal cannot be considered. The s182 Guidance states:

“13.36...The “cumulative impact” on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered. A review must relate specifically to individual premises, and by its nature, “cumulative impact” relates to the effect of a concentration of many premises. Identifying individual premises in the context of a review would inevitably be arbitrary.”

3.17 1 response failed to state their proposed amendment.

3.18 2 answers were repeated references to suggested boundary changes they had addressed in Question 3. 2 responses (Mcdonalds, Mcdonalds / Nandos / Subway) proposed that Late Night Refreshment should not be included, and the Students Union proposed that the policy should incorporate an annual review mechanism and weight to be given to proposed operators incorporating best practice and corporate responsibility schemes:

- “1) An annual report should be incorporated into the review process outlining the effectiveness of the proposed policy.***
- 2) The review of the policy should be set annually to ensure its responsiveness to turbulent market conditions.***
- 3) The review of the policy should incorporate consultation with public stakeholders to ensure its accountability, and that is working to solve the issues that it is intended for.***
- 4) Weight for new representations for licensing, which is still allowable within the policy, should be given to businesses that propose abidance to best practice and social corporate responsibility schemes.”***

(Students Union)

3.19 In relation to the recommendation (1) by the Students Union, 13.31 of the s182 Guidance advises:

“Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the special policy should be amended.”

3.20 Therefore, a review of the effectiveness of any special policy should be incorporated consistent with the Guidance and Members may wish to consider the review frequency of any special policy imposed.

4 Withington

- 4.1 Detailed below are the responses to the questions proposed in the consultation in respect of the defined 'Withington' area.

Q5. Do you consider that a special policy should be adopted in respect of the cumulative impact of licensed premises within the identified area of Withington?		
	Number of Responses	Percentage of responses
Yes	68	93%
No	4*	5%
Not stated	1	1%

- 4.2 It is possible that one of the four 'No' responses was made in error as it is inconsistent with the remainder of the response which indicated support for a policy (Response no. 44 from N H Roberts), however even if it was not made in error it would not significantly affect the above percentages.
- 4.3 93% of respondents agree with a special policy being implemented in Withington. Reasons given included the number of existing premises in Withington, as well as the potential of Withington 'becoming like' Fallowfield:

"Withington has too many bars and pubs in a small area. This causes us residents problems on our streets."

(Resident)

"Without a CIP which includes Withington, there is a real danger that the problems currently generated in Fallowfield could migrate south along Wilmslow Road to Withington. Also, existing licensed premises could seek extended hours: increasing existing problems in adjacent streets."

(Resident)

"Withington and Fallowfield are closely linked. Withington already has a number of late night drinking licenses and approaches made to me as a Ward Councillor in recent years from some bar owners indicate that late licenses will be retained and could easily be expanded to longer opening hours if a cumulative impact policy is not in place for Withington, particularly if cumulative impact policies are in place for the other parts of the Fallowfield, Wilmslow Road, Withington corridor."

Withington Village serves a well developed residential area which includes flats and houses in the Village centre itself and a concentration of drinking and drinking related establishments with late hours in Withington would add to the frequent problems of anti-social noise nuisance, vandalism, damage, litter, waste and other nuisance already reported by local residents in this area through the Withington Civic Society, which I regularly attend, and through individual cases."

(Withington Ward Councillor)

- 4.4 21 of those in support of the policy gave no reason for why they considered it should be adopted. Several responses either referred to their earlier reasons for Fallowfield being subject to the policy or gave identical reasons.
- 4.5 Although there was general support for a policy, some responses acknowledged that the level of problems in Withington was not as severe as experienced in Fallowfield.

“As for Fallowfield, altho' because there are not the 'halls' in Withington, I think the problem is not quite so bad.”

(Resident)

“As for Fallowfield, this is essentially a residential area. At the moment, though I think the degree of licensed premises in Withington isn't an issue but if a policy is implemented in Fallowfield, without one in Withington, that could change.”

(Anonymous)

- 4.6 The 3 against (aside from N H Roberts) are the same as per Fallowfield i.e. McDonalds, Mcdonalds / Nandos / Subway, and the Students Union. The reasons being the same as they gave against the policy proposal for Fallowfield, as detailed earlier in the report.

Q6. Do you agree with the boundary of the area 'Withington' being subject to a special policy?		
	Number of Responses	Percentage of responses
Yes	61	84%
No	7	10%
Not stated	4	5%
Neutral	1	1%

- 4.7 84% agree with the proposed boundary. The response from McDonalds was recorded as 'neutral'. The joint response from Mcdonalds / Nandos / Subway did not state an opinion on this point. The Students Union was the only respondent against a policy in this area to state that they did not agree with the boundary:

“Due to the far lower amount of licensed activities within the boundaries marked as 'Withington' and the area marked as 'Wilmslow Road', it is unclear what the local authority believe to be a defined saturation point, or indeed, when cumulative impact becomes problematic: either only the main Fallowfield area should be regulated, due to its high amount of licensed trade, or all boundaries should be dealt with as one entity.”

(Students Union)

- 4.8 There were 6 respondents who wish to see a special policy implemented for Withington but disagree with the proposed boundary, although 1 of these responses refers to the undeveloped land in Fallowfield, and so is included in relation to the Fallowfield boundary instead. Therefore, it is considered that there are 5 actual proposed amendments. All propose the extension of the boundary southwards to include extra licensed premises within the boundary:

“The area identified does take in the bulk of licensed premises in the area but not all as there are some to the south of the current border as far as Cotton Lane.”

(Residential Services, University of Manchester)

“I would take the boundary down as far as the Christie site to include Red Lion and rank of shops opposite. I suspect some of these are struggling to survive and could be replaced by off-licences.”

(Resident)

Q7. Do you consider that this (policy) approach in 'Withington' is:		
	Number of Responses	Percentage of responses
Not required at all	1	1%
Too restrictive	8	11%
Just right	61	84%
Not stated	3	4%

- 4.9 84% consider the policy approach as just right. The reasoning is typically that the policy would act as a preventative measure:

“There are already several bars in Withington. I have seen the negative effects that increasing the numbers of drinking places has had in Fallowfield - on the community etc and would not like Withington to suffer in the same way.”

(Resident)

“At the moment, the mix of licensed premises to other premises in the village centre is right for the health of the centre as a mixed provision for the people of Withington as a whole. Increasing the number of licensed premises will unbalance the centre and change its character, reducing the attractiveness of Withington as a place to live and work.”

(Resident)

“It is vital that alcohol related problems do not accumulate rapidly in this area - which is likely to happen without a cumulative impact policy.”

(Withington Councillor)

- 4.10 The Students Union state they consider that the proposed policy approach is not required at all and have regard to the lower levels of licensed premises and related problems in the area.

- 4.11 Of the 8 who consider the approach 'too restrictive', it is possible one response (no. 44) is made in error as the reasons are not consistent with the answer. The 2 responses from Mcdonalds and Mcdonalds / Nandos / Subway also consider the approach too restrictive, in respect of its inclusion of late night refreshment, for the same reasons given as for Fallowfield:

"It would have a disproportionate economic impact on our businesses. The adoption of a special policy which covers hot food premises will limit the ability of local businesses to expand to meet demand at a time when authorities, at all levels, should be doing everything they can to encourage businesses to grow. We want to do everything we can to ensure the impact we have on the local community is positive. We are enthusiastic about the idea of working with the local community to try to find a workable solution, rather than increasing regulation on local business."

(Mcdonalds / Nandos / Subway)

- 4.12 However, there are 5 persons who consider the approach as 'too restrictive' but that are also in favour of a special policy for Withington:

"Withington is struggling as a viable, attractive district centre and so, whilst a CIP is essential, it should not be so restrictive as to deter an entrepreneur who wanted to open, e.g. a restaurant. Therefore, any new applications should be considered on their merits, but with an 11pm finish in all cases."

(Resident)

"Marginally too restrictive. But I would support it so long as there were no escalation of restrictions. I would for example support new license (sic) applications for licensed restaurants and also perhaps for small venues in this District Centre. I would not support any arbitrary curfew either for proposed new premises or for reviews or variation requests. That could kill this Village which would benefit from development of a balanced, food-led, live entertainment-enhanced night time economy. A1 and A2 retail could even move into Copson Street to allow the High Street to develop a nice evening bustle cf Burton Road, cf Chorlton. Withington High Street has arguably suffered by a moratorium on hot food takeaway licences and more generally the old A3 class."

(Withington Ward Councillor)

"I am concerned that a blanket policy will discourage regeneration within the Withington District Centre. Could I suggest that new licence applications within the area be considered on their merits bearing in mind their location (whether on Wilmslow Rd or a side street of Wilmslow Rd), the size of the premises applying, its proposed use (pub, bar, restaurant, cafe-bar, takeaway, off-licence) and its hours of operation."

(Withington Ward Councillor)

“We are concerned that a blanket policy may discourage regeneration within the Withington District Centre. We suggest that any new applications within the area should be considered on their merit with a presumption of an 11pm deadline should a licence be granted. Should a change of ownership occur in a premises which currently has a licence later than 11pm we would want the licence reviewed with a presumption that it would be rolled back to 11pm at that point.”

(Withington Civic Society)

“I am concerned that a blanket policy may discourage regeneration within the Withington District Centre and suggest that any new applications within the area should be considered on their merit bearing in mind the following factors: location (whether on Wilmslow Road or one of the side streets), size of premises, proposed use (pub, bar, restaurant, cafe, takeaway, off-licence) and hours of operation.”

(Old Moat Ward Councillor)

- 4.13 Most of those responses that recommended a different approach (to the one originally proposed in the consultation) seek to include flexibility within the policy to enable ‘desirable’ operations according to their respective merits. Therefore, there is appetite within some for further licensed premises to be permitted in Withington subject to limitations.
- 4.14 Most of the respondents who consider the approach for Withington as ‘too restrictive’ and wish to see more scope available are persons / organisations with a special interest to Withington i.e. Withington councillors, Withington Civic Society although there are also a similar number of other Withington residents and a Withington Councillor who consider that the policy as originally proposed is ‘just right’.
- 4.15 A terminal hour of 11pm is proposed for new licences by a Withington residents and the Withington Civic Society. A licensing policy can incorporate an approach regarding licensed hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives in doing so.
- 4.16 However, there is no reason given by the Withington Civic Society why 11pm should be imposed on all new licences or why that time would be appropriate for the promotion of the licensing objectives. Additionally, it is not possible to review all existing licences or to ‘roll back’ hours to 11pm upon the transfer of a licence, as also proposed in their response.

Q8. Do you consider that there should be amendments to the special policy for 'Withington'?		
	Number of Responses	Percentage of responses
Yes	46	63%
No	24	33%
Not stated	3	4%

- 4.17 The majority of responses (63%) did seek amendments to the special policy; the most popular of which was the inclusion of Temporary Event Notices within the ambit of the policy, which was requested in 39 responses (representing 85% of the 63 who wished to see changes).
- 4.18 Again, changes were requested by the Students Union (review of the effectiveness of the policy) and McDonalds, Mcdonalds / Nandos / Subway (late night refreshment to be excluded), as per Fallowfield.
- 4.19 The remaining changes repeated proposals already covered in Q7 such as incorporating a standard terminal hour of 11pm, and considering cases according to their specific merits.

5 Wilmslow Road

- 5.1 Detailed below are the responses to the questions proposed in the consultation in respect of the defined 'Wilmslow Road' area.

Q9. Do you consider that a special policy should be adopted in respect of the cumulative impact of licensed premises within the identified area of Wilmslow Road?		
	Number of Responses	Percentage of responses
Yes	68	93%
No	3	4%
Not stated	2	3%

- 5.2 All respondents with the exception of 2 local residents stated an answer, with all responses in favour a special policy for this area, except for the Student Union and Mcdonalds, Mcdonalds / Nandos / Subway. The objections were broadly on the same basis as per Fallowfield and Withington.
- 5.3 Reasons given by those in favour of the policy commonly referred to the problems experienced in Fallowfield and Withington, as well as issues directly related to the proposed area:

“This stretch of Wilmslow Road is densely populated on either side of the proposed zone and links up the 2 other areas of Fallowfield and Withington.”

(Greater Manchester Police)

“This area has a lot of noisy activity especially on Friday and Sat. nights from students who are drinking, moving from Fallowfield pubs to their houses. Although there are not many shops and pubs in this stretch some of the properties could be converted into clubs if restrictions on development in Fallowfield and Withington took effect.”

(Resident)

“The licensed premises in this area to impact on our daily lives, especially the Ram and Shackle. The constraints of a CIP therefore do need to be applied here as well as in Fallowfield.”

(Resident)

“Over recent years I have received many complaints from Old Moat ward residents about the problems of noise and anti-social behaviour that are caused by the patrons of the bars and pubs on this stretch of Wilmslow Road as they make there (sic) way home at all times of the night. These premises, although small in number, are operating grossly excessive hours. Taken together with the cumulative impact of the bars and pubs in Fallowfield, the nuisance caused extends well beyond the vicinity of the individual premises.”

(Old Moat Councillor)

Q10. Do you agree with the boundary of the area 'Wilmslow Road' being subject to a special policy?		
	Number of Responses	Percentage of responses
Yes	60	82%
No	7	10%
Not stated	5	7%
Neutral	1	1%

- 5.4 Again, the majority (82%) agrees with the proposed boundary. The response from McDonalds was recorded as 'neutral'. The joint response from Mcdonalds / Nandos / Subway did not state an opinion on this point. The Students Union was the only respondent against a policy in this area to state that they did not agree with the boundary:

“Due to the far lower amount of licensed activities within the boundaries marked as ‘Withington’ and the area marked as ‘Wilmslow Road’, it is unclear what the local authority believe to be a defined saturation point, or indeed, when cumulative impact becomes problematic: either only the main Fallowfield area should be regulated, due to its high amount of licensed trade, or all boundaries should be dealt with as one entity.”

(Students Union)

- 5.5 13 replies proposed the extension of the land at the rear of the Ram and Shackle premises. Photographs of this land are attached at Appendix 5. Part of the land is the beer garden of the Ram and Shackle. Although the land is not licensed for any licensable activities, given that it forms part of a prominent alcohol-led licensed premises that is within the proposed area boundary, the Committee may wish to include it within the boundary of the special policy so that the whole curtilage of the Ram & Shackle is included in the policy. The remainder of the land refers to 'The Ram Lodge', which is a hostel and is not currently licensed. Photographs of this property are attached at Appendix 6. Members may wish to propose including this property within the boundary of the special policy given its proximity to the special policy area and its relationship with the Ram & Shackle.

“All land within the curtilage of the Ram and Shackle i.e. up to Mitford Road should be included in order to curb any potential expansion of licensing activities on the Mitford side of the premises.”

(The South East Fallowfield Residents Group)

“But, there is land at the back of the Ram and Shackle which this pub owns which is not included. Any future expansion of this pub could therefore be outside the remit of a CIP. This land should therefore be included.”

(Resident)

- 5.6 7 proposed the inclusion of the undeveloped land at Egerton Road/Clifton Avenue, which is the same land requested by 6 others in relation to the Fallowfield boundary. Therefore a total of 13 respondents proposed that this land be included within the proposed special policy.

“The former St John's plot on the corner of Clifton Avenue and Egerton Road. The future of this area is not, as yet, completely finalised e.g. no building work has begun. Prevention is necessary, making sure that no licensed premise can be built here. Also land behind the Ram and Shackle on the corner of Wilmslow and Brook Roads needs to be protected as far as Mitford Road.”

(Resident)

- 5.7 Members may wish to consider whether the land, given its potential for development, should be incorporated within the special policy boundary.

Q11. Do you consider that this (policy) approach in 'Wilmslow Road' is:		
	Number of Responses	Percentage of responses
Not required at all	1	1%
Too restrictive	2	3%
Just right	65	89%
Not stated	5	7%

- 5.8 Of those who expressed an opinion, all, with the exception of the Students Union and Mcdonalds (2), considered that the proposed policy approach was ‘just right’. 19 of those in favour of the proposed approach referred to the reasons for Fallowfield and/or Withington. Others referred to number of bars in the area and that in the area but 26 did not give a reason for their answer. 2 considered that all existing licences to come under the policy should be reviewed.

“Need to reduce anti social behaviour and late night noise and litter.”

(Resident)

“If there are more bars along this road, Withington and Fallowfield will become a huge drinking area and this will make the problems associated with binge drinking much worse for people who live here.”

(Resident)

- 5.9 The reasons given by the Students Union (offers no solution) and Mcdonalds, Mcdonalds / Nandos / Subway (disproportionate) were the same as for the Fallowfield and Withington areas.

Q12. Do you consider that there should be amendments to the special policy for 'Wilmslow Road'?		
	Number of Responses	Percentage of responses
Yes	45	62%
No	24	33%
Not stated	4	5%

- 5.10 Similar to Fallowfield and Withington, the majority of the changes (39) sought were to include Temporary Event Notices within the remit of the policy. 2 responses also sought a review of all existing licences via the policy.
- 5.11 All of the proposed changes (and reasons for them) are consistent with those requested for Fallowfield and Withington. The same principles apply in that Temporary Event Notices cannot, come under the remit of a special policy relating to cumulative impact, nor can such a policy seeks reviews of licences.
- 5.12 The reasons given by the Students Union (a performance review mechanism should be built in) and Mcdonalds (2) (removal of late night refreshment) were the same as for the Fallowfield and Withington areas.

6 General Comments

- 6.1 The final consultation question posed was to allow for any other general comments the respondent wanted to make.
- 6.2 The vast majority stated that they were supportive of the policy proposals. Even the main objectors to the policy proposals (McDonalds, McDonalds / Nandos / Subway, the Students Union) acknowledged that there are issues within the areas to be addressed, although they do not consider the proposed approach as being an appropriate one.

"I am the franchisee for the McDonald's restaurant on Wilmslow Road Fallowfield, which falls under the area defined as 'Wilmslow Road' in the consultation.

I hold the McDonald's franchise for nine restaurants across the area. Over the past four years I have invested over £500,000 in improving the Wilmslow Road restaurant for the benefit of my customers and the wider community.

Across my business I employ over 700 staff, 85 of whom work in my Wilmslow Road restaurant and a large number of whom are long-standing employees, who have been promoted through the ranks. 90% of my staff live within 2 miles of the Wilmslow Road restaurant are therefore not only employed in my area, they live in the community too. As local residents they are passionate as I am about giving back to the community. Through our support of local causes we ensure that our restaurant has a positive impact on the local area.

Both as a local businessman and through local engagement with the local community, I recognise that the concentration of licensed premises in the area designated by the consultation has been linked by many to alcohol-fuelled anti-social behaviour.

My restaurant is predominately a dine-in restaurant; less than 10% of our business between the hours of 6am and midnight is take away business. Our restaurant therefore mitigates anti-social behaviour and noise issues in the area. It does this not only by containing customers on site, reducing the likelihood of them contributing to in-street anti-social behaviour, but also by serving to mitigate the effects of alcohol in customers due to the food they consume.

I understand the concerns raised by the consultation. However, it is my belief that we have the opportunity to positively manage the impact of hot food licensed premises in the area, such as my own, without restricting our potential to grow, while also meeting the concerns of the local community.

My team and I do and will continue to do everything we possibly can to

ensure the impact we have on the local community is positive. We are very enthusiastic about the idea of working with the local community to try to find a workable solution; rather than increasing regulation on local businesses.”
(Mcdonalds)

“As the group (of hot food businesses, who operate in the area that is subject to the consultation) has only recently been formed our plans for addressing the litter issues are still in the very early stages, however we plan to report the results of our initiative to the Licensing Unit of Manchester City Council in advance of the unit reporting its findings from the consultation to the Licensing Policy Committee.

We propose a trial period for the 'Litter Action Zone', after which period we would present the results of our action for the consideration of the Licensing Policy Committee.”
(Mcdonalds / Nandos / Subway)

“The Students’ Union does admit that there are specific issues relating to the Studentification of Fallowfield, and the subsequent relational issues between long-standing residents and the student community that this entails: there should be space for the Local Authority to more robustly deal with licensing issues within this community. The Students’ Union, however, does not agree that the special policy being suggested is the fairest way of dealing with these issues going forwards, and believe that the policy may actually have a regressive effect on the area, for reasons listed in response to Question 1. We do not, however, oppose the concept of Fallowfield being regulated, and for issues that develop to be more pro-actively dealt with.”
(Students Union)

- 6.3 Most comments were in support of the Policy and included details of some of the wider issues associated with the local night time economy:

“Fully supportive of the CIP; absolutely essential for this area because the number of licensed premises has become excessive in recent years and the licensing objectives are being undermined by the saturation of alcohol outlets.”
(Resident)

“The excessive drunkenness in these areas has to be stopped. This policy is one potentially useful tool which could begin to restore some peace to local residents and some dignity to our city.”
(Resident)

“We fully support the Cumulative Impact Policy for all three proposed areas of Fallowfield & Withington because there are so many problems associated with the excessive number of bars, clubs and off licenses in this student dominated area.”
(Fallowfield Residents Association)

“There is general agreement among the citizens in the areas that restriction needs to be placed on the influence of excessive alcohol consumption on our environment. The proposals represent part of the potential solution to the problem.”

(Resident)

“Fallowfield has been my home for 20 years. I am a very heavy sleeper and don't tend to get disturbed by noisy drunks at night but the rest of my family are often woken up. I think the off licenses in particular make night time drinking on the streets the cause of a lot of anti social behaviour. I support the special policy for all three areas of Fallowfield and Withington.”

(Resident)

“I would fully support the implementation of this policy and I unreservedly applaud MCC for taking this initiative. I and my family enjoy living in Fallowfield, we do not wish to move away, and will continue to battle on to make this area a pleasant place to live. But on many occasions local residents feel absolutely powerless/impotent in trying to combat to cope with living in an environment where alcohol 'Rules OK'.”

(Resident)

I would beg the board to pass this plan. We as residents are DESPERATE and need your help and support to prevent us having to move out of homes that we love on account of the impact of the alcohol availability in the area. Please help us.

(Resident)

“... Alcohol related problems have significantly increased in recent years since the change in licensing laws in 2003. This student dominated area has changed in character because of the large rise in late night licensed premises which allow and encourage young people to drink to excess. The rise in middle-of-the-night anti social behaviour such as bins being overturned and drunken singing outbursts have gone hand in hand with the rise in alcohol outlets. Community Guardians have consistently opposed new license applications and variations to extend licenses but because there is little proof tying anti social behaviour to a particular premise, it has been difficult to prevent the escalation of such clubs and bars in Fallowfield. We have been asking for a Cumulative Impact Policy for many years and feel it is well overdue. The granting of the Cumulative Impact Special Policy for these three areas would bring some relief to residents and we sincerely hope that the Policy will be adopted.”

(Fallowfield Community Guardians)

“... We believe that the Council's proposal for a new policy is a logical and practical step to address the issues of crime, disorder and public nuisance in Fallowfield, Withington and Wilmslow Road and we support the implementation of such a policy.”

(Corridor Manchester)

“Late night alcohol fueled anti social behaviour increases the need for additional street cleansing at weekends due to full wheelie bins being overturned.

All three areas suffer from heavy litter caused by fast food takeaways. The recycling bins are constantly full, and bags and rubbish left at the side of the containers look unsightly.

MCC has to dispatch additional resources to address the proportionately greater amount of litter generated in the three areas. This includes;-

- Two pedestrian litter pickers 5 days per week. (7 hours per day)***
- 1 man plus vehicle to tidy up around recycle bins. (2 hours per day)***
- 2 men plus compactor (1 hour per day) to remove black bags e.g.***
- Litter bins require emptying daily.”***

(Adrian Hopkins on behalf of the Student Safety Tactical Action Partnership)

“It is estimated that approximately 90,000 adults in Manchester drink at increasing or higher risk levels, and that there are around 13,000 dependent drinkers of the city. Alcohol misuse can impact on physical and mental health and wellbeing, crime and antisocial behaviour, homelessness, worklessness, and poor outcomes for children. The Local Alcohol Profile for England indicates that physical health problems related to alcohol misuse are worse in Manchester when compared to regional and national averages. Data collected as part of the Manchester Royal Infirmary’s A&E Alcohol Liaison Project indicates high numbers of alcohol-related A&E attendances from areas to the south of the city centre i.e. postcode areas M13 and M14. A recent (2011) University of Manchester survey of 800 students carried out on behalf of NHS Manchester and Greater Manchester Police indicated that 75% of respondents lived in the Fallowfield/Withington areas of the city. Nearly half (49%) of all students surveyed said they go out drinking/partying in Fallowfield on a weekly basis. Of the students who were aware of how much they drank on an average night out, 76% reported binge drinking (defined as more than double their daily limit in a single session). 62% reported that they themselves or a friend had been victims of crime while living in Manchester with nearly half (47%) believing that alcohol had played a role in these crimes.”

(Public Health Manchester)

7 Proposed Revisions to the Policy

7.1 Proposals made in response to the consultation that are not achievable under a special policy (for reasons outlined in the preceding paragraphs of this report) shall not be considered. They are:

- 1. The inclusion of Temporary Event Notices**
- 2. Review of all existing licences**
- 3. Roll-back of existing hours**

7.2 Members are asked to consider the following proposals (further details of which are set out in paragraphs 7.3 onwards) to the special policies made in response to the consultation:

1. Boundary Changes:

a) Inclusion of Fallowfield Campus

b) Inclusion of undeveloped land at corner of Egerton Road and Clifton Avenue

c) Inclusion of land at the rear of the Ram and Shackle

d) Extension of the Withington boundary southwards:

- i. To include that part of Withington ward (and therefore all the licensed premises therein)**
- ii. As far as the Christie site to include Red Lion and rank of shops opposite. I suspect some of these are struggling to survive and could be replaced by off-licences**
- iii. As far as Cotton Lane**
- iv. To include the rest of the Withington Ward as there are a number of licensed premises within the area currently excluded**
- v. To include the licensed premises at the southern end of the Village with the boundary being at the southern edge of Withington Ward**

e) To amalgamate the boundaries

2. To make the special policy for Withington less restrictive

3. Remove Late Night Refreshment

4. Not adopt a special policy in any areas

1. Boundary Changes

- 7.3 Boundary changes proposed in responses to the consultation shall be considered individually. The addition of areas would require further consultation with the landowners or operators of any licensed premises within the area prior to any decision being made to include that area.

a) Inclusion of Fallowfield Campus

- 7.4 In response to this proposal, whilst the campus does include licensed premises that students, both on and off campus, can access, it is considered that the campus premises shall fall outside of the proposed special policy. It is not considered that they impact upon the cumulative impact issues being experienced in the area and there is no evidence to suggest it is necessary for the promotion of the licensing objectives. Therefore, it is not proposed to amend the boundary to include this area.
- 7.5 It is not considered that there is a risk of cumulative impact issues arising as a result of the University Campus, which does not contribute the same issues as by the concentrations of commercial premises in the area.
- 7.6 Therefore, it is not recommended that this land be included within the special policy area.

b) Inclusion of undeveloped land at corner of Egerton Road and Clifton Avenue

- 7.7 Currently there is planning permission for a residential development on the land. If the area were to be developed to include commercial uses, it would be sensible to include the land within the special policy.
- 7.8 However, members may wish to consider whether the land, given its potential for development, should be incorporated within the special policy boundary.
- 7.9 The property currently has planning permission as a residential development but no work has commenced. The Planning department have advised that commercial development of this area of land would be unlikely to be permitted.
- 7.10 However, given the proximity of this land to the proposed special policy areas of Fallowfield and Wilmslow Road, and whilst there is the possibility of potential for commercial development, it is recommended that should the special policy be implemented for the Fallowfield and Wilmslow Road areas, a recommendation is made to incorporate this land within a subsequent review of the policy upon consultation with the landowner.

c) Inclusion of land at the rear of the Ram and Shackle

- 7.11 The area identified is two-fold. One section is part of the 'beer garden' of the Ram and Shackle. The remaining section of land relates to the Ram Lodge, a hostel, associated with the Ram and Shackle.

- 7.12 The Committee may wish to ensure that the special policy area incorporates the whole of the Ram and Shackle boundary. It is recommended that should the special policy be adopted for the Wilmslow Road area, a recommendation is made to incorporate this land within a subsequent review of the policy upon consultation with the landowner.
- 7.13 Given the current nature of the Ram Lodge, it is considered that there is no immediate need for it to be incorporated within the special policy. However, having regard to its inter-relationship with the Ram and Shackle, which is a prominent alcohol-led licensed premises with the proposed special policy area, the Committee may consider it prudent for the Ram Lodge to be incorporated within the policy to prevent development of it into a licensed premises, which could potentially undermine the policy.
- 7.14 Therefore, it is recommended that should the special policy be implemented for the Wilmslow Road area, a recommendation is made to seek to incorporate this land within the Special Policy, upon consultation with the landowner. It is proposed this would be conducted as part of the forthcoming review of the full Licensing Policy,, which will incorporate the provisions of the Police Reform and Social Responsibility Act 2011 and Live Music Act 2012.

d) Extension of the Withington boundary southwards:

- i. To include that part of Withington ward (and therefore all the licensed premises therein)**
 - ii. As far as the Christie site to include Red Lion and rank of shops opposite. I suspect some of these are struggling to survive and could be replaced by off-licences**
 - iii. As far as Cotton Lane.**
 - iv. To include the rest of the Withington Ward as there are a number of licensed premises within the area currently excluded.**
 - v. To include the licensed premises at the southern end of the Village with the boundary being at the southern edge of Withington Ward.**
- 7.15 There is currently no evidence to demonstrate that there are cumulative impact issues arising in any of these identified areas or that there is a genuine risk of them arising. The reasons given for these areas are as a 'catch-all' to ensure that all licensed (and potential licensed) premises are captured. However, a special policy is not a general policy but must be one targeted to address specific problems of cumulative impact i.e. "the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area". It is not considered that there is a significant number of licensed premises (or risk of there being) at this stage, and so it is not proposed to extend the boundary to include these premises.

e) Amalgamate the boundaries

- 7.16 In their response, the Students Union proposed that either only the main Fallowfield area should be regulated, due to its high amount of licensed trade, or all boundaries should be dealt with as one entity.

- 7.17 It is recommended that where a special policy takes an identical approach in respect of multiple adjoining areas, those areas are amalgamated into one area that is subject to the special policy. It is proposed that this amalgamated area is named as 'Fallowfield/Wilmslow Road'.

2. To make the special policy for Withington less restrictive

- 7.18 Two Withington Councillors, one Old Moat Councillor and the Withington Civic Society stated in their responses to the consultation that they considered the proposed approach in Withington as too restrictive. Whilst supportive of a special policy, there was concern that the policy approach originally proposed could be so restrictive as to be a potential threat to necessary regeneration.

“Withington is struggling as a viable, attractive district centre and so, whilst a CIP is essential, it should not be so restrictive as to deter an entrepreneur who wanted to open, e.g. a restaurant.”
(Withington Civic Society)

“Marginally too restrictive. But I would support it so long as there were no escalation of restrictions. I would for example support new license applications for licensed restaurants and also perhaps for small venues in this District Centre. I would not support any arbitrary curfew either for proposed new premises or for reviews or variation requests. That could kill this Village which would benefit from development of a balanced, food-led, live entertainment-enhanced night time economy.”
(Withington Councillor)

“I am concerned that a blanket policy will discourage regeneration within the Withington District Centre. Could I suggest that new licence applications within the area be considered on their merits bearing in mind their location (whether on Wilmslow Rd or a side street of Wilmslow Rd), the size of the premises applying, its proposed use (pub, bar, restaurant, cafe-bar, takeaway, off-licence) and its hours of operation”
(Withington Councillor)

- 7.19 Whilst it is important to note that a special policy does not represent an 'iron curtain' that prohibits all further licensed premises, it is accepted that a special policy could be seen as a possible deterrent for potential new operators. However, a special policy must be considered having regard to whether it is appropriate in order to ensure the promotion of the licensing objectives within the area rather than just economic reasons.
- 7.20 It is recognised that the current number of licensed premises and related problems in Withington are at a much lower level than those in Fallowfield, and whilst respondents to the consultation are concerned with a risk of potential displacement from Fallowfield if Withington is not subject to a special policy, there is also support for additional licensed premises to be permitted provided the premises are of an acceptable nature dependent upon its merits.

- 7.21 Having regard to the current relatively low level of issues in Withington and its lower number of licensed premises, it is considered that there is not the need for a special policy that exists in other areas. This is also demonstrated by the appetite by some for more licensed premises, subject to limitations. Consideration of the individual merits of an application can already be achieved by the existing general Statement of Licensing Policy through consideration of the Key Factors, which if implemented, should ensure that only such applications consistent with promoting the licensing objectives are granted where relevant representations are made.
- 7.22 Cumulative Impact is considered in the Guidance as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area...In some areas, where the number, type or density of premises selling alcohol is high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise some distance from the premises.”
- 7.23 Whilst concerns were raised over the potential impact of the policy upon regeneration of the area, the issue is whether the policy is appropriate for the promotion of the licensing objectives. The concerns by respondents typically refer to the risk of Withington becoming problematic. However, it is generally recognised that the Withington area is not currently experiencing cumulative impact and so a special policy is not, at this point, necessary or proportionate.
- 7.24 Therefore, it is proposed that Withington is not subject to a special policy at this time. Instead, the issues in the area will be continued to be monitored, particularly for potential displacement from Fallowfield, and the policy situation be reviewed if there is evidence of cumulative impact issues are beginning to arise.

3. Remove Late Night Refreshment

- 7.25 It is not proposed to remove late night refreshment from the special policy in any area. It is not considered that a ‘Litter Action Group’ justifies a departure from the original policy proposal and its reasons.

4. Not adopt a special policy in any areas

- 7.26 The Students Union argue that the policies offer no resolution to the problems being experienced in the areas and may harm the future economic position in Withington and Fallowfield. A special policy addressing cumulative impact will not offer a remedial effect in isolation. What it can provide is to prevent the worsening of the situation within the defined area by controlling the growth of licensed premises within the area and ensuring that only premises able to demonstrate that they will not add to the local cumulative issues, would be granted. At the same time, enforcement activity can focus on existing problematic premises, which should help to achieve a reduction in the existing problems within an area.

- 7.27 In respect of the potential harm to the economy, as previously mentioned, the focus on whether a special policy is appropriate must be on ensuring the promotion of the licensing objectives rather than economic aims.
- 7.28 The responses in support of the policy demonstrate that the general consensus is that the problems, particularly the Fallowfield and Wilmslow Road, are at a level now that it is necessary to prevent the worsening of the situation, and so the policy is needed. There are also concerns over the potential of Withington developing into a problem.
- 7.29 As previously stated, it is now proposed that a special policy is not implemented in Withington. However, the arguments by the Students Union do not justify departing from the special policy in Fallowfield and Wilmslow Road.
- 7.30 Although the levels of problems are lower in Wilmslow Road area, it immediately adjoins the most problematic area of Fallowfield. Therefore, it is appropriate that this area is subject to the special policy as it is likely to be the highest risk of experiencing displacement from Fallowfield given its direct proximity.
- 7.31 **Consequently it is proposed that only the Fallowfield and Wilmslow Road areas are subject to the special policy in the original terms proposed but that those areas are merged into one single area, to be known as "Fallowfield/Wilmslow Road" (Appendix 7).**
- 7.32 **A draft revised Special Policy in accordance with the above provisions is attached at Appendix 8**

8 Reasons for the proposed policy approach

- 8.1 The predominant concentration of licensed premises is within the Fallowfield area. This area suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas, which is demonstrated in the Cumulative Impact Analysis (Appendix 5 of The Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012). The levels of crime recorded with an alcohol marker have risen annually between 2009 and 2011, of which there is the strongest concentration in the late evening and early hours of the morning. The degree of ASB recorded in the area is also significantly disproportionate compared to the rest of the former B & C policing divisions, since conjoined to form the E Division. Between 2009 and 2011, the average rate of ASB per square kilometre in the E Division was 343 incidents per square kilometre compared to an average of 2180 incidents per square km in Fallowfield. Similarly, ASB levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.
- 8.2 The complaints from local residents of anti-social behaviour, received both prior to and in response to the policy consultation, repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of pre-loading and drunkenness. Additionally, there was evidence of litter caused as a result,

including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high numbers of late night takeaways in Fallowfield. Problems of pre-loading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield.

- 8.3 Therefore, the policy in Fallowfield aims to prevent further alcohol-related crime and antisocial behaviour arising in the area from the customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime, antisocial behaviour and hours likely to affect the ability of local residents to get a good night's sleep. Additionally, premises that are likely to contribute to litter problems in the area, particularly in relation to pre-loading en route to licensed premises, and hot food takeaway wrappers at the end of the night.
- 8.4 Within the Wilmslow Road area, there are far fewer licensed premises. However, alcohol-related crime has continued to rise between 2009 and 2011. Given the area's direct proximity to Fallowfield as well as having regard to the similar nature of existing premises in Wilmslow Road to those in Fallowfield, it is correct that this area is also covered under the policy. This approach is also strongly supported in the responses received the public consultation, which cite similar problems to those experienced in Fallowfield.
- 8.5 The aims of the policy are to reduce levels of crime and antisocial behaviour with the areas, especially those that are alcohol-related and during the early hours of the morning. The reasons for this approach are set out above and supported by the evidence presented at Appendices 2-10 in the Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012 and responses to the public consultation. These aims will support the Aspirations for our Neighbourhoods as set out in Section 7 of the Council's Statement of Licensing Policy 2011-14.

9. Conclusion

- 8.6 The Committee is asked to:
1. Consider the proposed policy approaches detailed in Section 7 of this report and determine the special policy as set out in Appendix 8, subject to any amendments considered appropriate for the promotion of the licensing objectives by the Committee..
 2. Include within the special policy the considerations and reasons of the Committee in reaching its decision in accordance with (1) above.
 3. Recommend to Council that they adopt the special policy, as determined by the Policy Committee in accordance with (1) and (2) above, for incorporation within the Council's Statement of Licensing Policy

4. Recommend that the following areas of land are proposed for inclusion within the special policy area as part of the next review of Licensing Policy:
 - a) The undeveloped land at corner of Egerton Road and Clifton Avenue
5. The land at the rear of the Ram and Shackle including the Ram LodgeRequest officers to undertake an annual review of levels of alcohol-related crime, general crime and antisocial behaviour, in both the special policy area and Withington.

9 Contributing to the Community Strategy

(a) 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 proposed Special Licensing Policy will play an essential role in establishing that only such premises that are able to demonstrate that they shall not add to existing cumulative impact shall be licensed in the special policy areas, which will positively contribution to the economy of the region and sub-region.

(b) Reaching full potential in education and employment

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

The proposed Special Licensing Policy will play an essential role in establishing only those premises that are able to demonstrate that they shall not add to existing cumulative impact shall be licensed in the affected areas, thereby ensuring the promotion of the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm

10 Key Policies and Considerations

(a) Equal Opportunities (b) Risk Management

(c) Legal Considerations

10.1 There are no other legal implications to consider.