

## Special Licensing Policy – Withington Stress Area

There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area; having regard to the complaints of local residents and the levels of crime and disorder and public nuisance experienced within it.

The licensing authority considers that although the levels of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area; the area is of concern and shall be kept under review. Therefore, the Council has adopted a special policy for the area, which shall be known as the Withington Stress Area, and is identified on the map at Appendix 8 of this Licensing Policy.

Withington is a residential area which, if not carefully planned, may attract late night alcohol-led venues which cannot set up in Fallowfield due to a CIP there. It is noted that while Withington suffers less ASB than Fallowfield, there is evidence of problems associated with operation of licensed premises in Withington and the licensing authority does not wish to see an increase in ASB. However, the authority does wish to diversify the leisure economy in Withington. With this in mind, the following approach for new licences and material variations, where relevant representations have been made, shall be taken:

<b>Premises Category</b>	<b>Closing time</b>	<b>Approach</b>
<b>Non-alcohol led venues (excluding hot food takeaways)</b>	Up to Midnight	Strongly encouraged provided that they do not harm the licensing objectives.
<b>Non-alcohol led venues (excluding hot food takeaways)</b>	Beyond midnight	Discouraged, unless strict compliance with set criteria can be shown.  Positive proposals for the promotion of the licensing objectives from departing customers must also be demonstrated in the operating schedule.

<b>Premises Category</b>	<b>Closing time</b>	<b>Approach</b>
<b>Alcohol-led venues (on-licence)</b>	Up to 11.30pm	<p>Judged according to set criteria.</p> <p>Positive proposals for the promotion of the licensing objectives, including from departing customers, must also be demonstrated in the operating schedule.</p> <p>A stricter approach is likely to be taken where customers are not seated at tables and/or where a substantial food offer is not available at all times the premises are open</p>
<b>Alcohol-led venues (on-licence)</b>	Beyond 11.30pm	<p>Strong presumption against.</p> <p>A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.</p>
<b>Hot food Takeaway premises</b>	All	<p>Strong presumption against.</p> <p>A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.</p>
<b>Alcohol led venues (off licence)</b>	All	<p>Strong presumption against.</p> <p>A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives.</p>

Key Factor 4, (“Standard to Promote the Licensing Objectives”) sets out many measures that the licensing authority considers to be appropriate in order to ensure the promotion of the licensing objectives.

Having regard to the issues within the Withington Stress Area the Licensing Authority has also set out particular measures that it expects operators to pay special attention to in order to ensure their operation will not add to the problems within this area. Operators are not required to do so, but where the authority’s discretion is engaged,

any applications which fail to address all appropriate measures may be refused or have conditions applied to comply with the policy measures.

These measures shall be considered in conjunction with the policy approach set out above and may be more or less appropriate depending on the style of operation applied for. Applicants are not limited to only these proposed measures and should propose all measures they consider appropriate in the promotion of the licensing objectives.

The measures are set out as follows:

<b>Ref:</b>	<b>Measure to be addressed</b>	<b>Criteria</b>
<b>CD2</b>	The effective management of queues outside the premises	A documented policy addressing how queues outside of the premises will be managed to prevent any nuisance or disorderly behaviour.
<b>CD3</b>	The control of entry to and exit from the premises, including assessing the need for door supervisors	A documented risk assessment assessing the need for door supervisors at the premises. Where employed, door supervisors shall be easily identifiable (through high-visibility uniform) and employed in appropriate numbers and during appropriate times.  Written records to be kept of any door supervisors on duty.  Positive consideration will be given to the use of Approved Contractor Scheme (ACS) security companies.
<b>CD6</b>	Designing out crime in the layout of the premises	Positive consideration will be given to the commissioning a Licensing Impact Statement (by Design for Security) and operation of the premises in line with the recommendations of that report
<b>CD9</b>	Implementation of documented reporting procedures at the premises	Documented records to be kept in respect of: <ul style="list-style-type: none"> <li>▪ Lost and found property</li> <li>▪ Refused sales of alcohol</li> <li>▪ Thefts</li> <li>▪ Banned and ejected persons</li> <li>▪ Injuries</li> <li>▪ Complaints and any remedial action taken</li> </ul>

Ref:	Measure to be addressed	Criteria
<b>CD11 CH8</b>	Provision of comprehensive documented staff training	<p>Documented staff training conducted in respect of:</p> <ul style="list-style-type: none"> <li>▪ Preventing underage sales</li> <li>▪ Preventing drunkenness</li> <li>▪ Managing and resolving conflict</li> <li>▪ Emergency procedures</li> <li>▪ Compliance with the licence conditions</li> <li>▪ Relevant obligations and offences under the Licensing Act, particularly those associated with the sale of alcohol</li> <li>▪ Identification and refusal of underage sales</li> </ul> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Use of accredited training course and recognised industry qualifications (e.g. BII)</li> </ul>
<b>CD12</b>	Implementation of effective measures to prevent and deal with drunkenness at the premises	<p>A documented policy in relation to preventing and managing drunkenness on the premises.</p> <p>Access to the premises should not be permitted to any person who is visibly intoxicated.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ The sale of alcohol being subject to the use of waiter/waitress service for consumption by persons seated at tables</li> <li>▪ Substantial food being available at all times</li> <li>▪ Use of the Responsible Alcohol Service Guide</li> <li>▪ Displaying responsible drinking information and posters throughout the premises</li> <li>▪ Ensuring alcohol-free options are readily available</li> <li>▪ Making appropriate arrangements to ensure the safe transport home</li> </ul>

<b>Ref:</b>	<b>Measure to be addressed</b>	<b>Criteria</b>
		<p>if vulnerable customers</p> <ul style="list-style-type: none"> <li>▪ Training of staff in the Responsible Alcohol Service Award</li> </ul>
<b>CD13</b>	Ensuring only responsible drinks promotions are operated at the premises	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Voluntary restriction of high strength alcohol (i.e. high ABV beers and cider)</li> <li>▪ No promotional activity resulting in a minimum unit price of less than 50p</li> </ul>
<b>CD14</b>	Effective monitoring of the premises (both interior and exterior) including the use of CCTV	A digital CCTV system installed in conjunction with any specification or recommendations of Greater Manchester Police.
<b>CD15</b>	Ensuring all alcohol sales are properly authorised	Positive consideration will be given to there being at least one personal licence holder on duty on the premises at all times it is open to the public.
<b>CD17</b>	Operation of a documented glass policy for the premises	A documented risk assessment in respect of the use of glassware on the premises. Where appropriate plastic or polycarbonate drinking vessels shall be used, especially in outdoor areas or after specified hours.
<b>PS1</b>	Maintaining a safe capacity and recording customer numbers	The maximum occupancy of the premises should be prominently displayed at the entrance to the premises and appropriate measures put in place to ensure the capacity is not breached.
<b>PS6</b>	Operation of a documented glass collection and spillage policy	A documented policy to ensure that drinking vessels are not left unattended and the efficient collection of glasses and cleaning up at the premises, especially in outdoor areas.
<b>PN1</b>	Prevention of noise breakout from the premises	Systems to ensure that any noise from the premises, especially regulated entertainment, does not cause disturbance to neighbouring properties, particularly local residents.

Ref:	Measure to be addressed	Criteria
<b>PN3</b>	Communication and integration with local residents and businesses	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Participation in any community local initiatives</li> <li>▪ Communication with local residents and groups,</li> <li>▪ Provision of a mobile contact number for the DPS or nominated person for the immediate resolution of problems</li> <li>▪ Hosting of meetings with local residents to troubleshoot issues associated with the premises</li> </ul>
<b>PN4</b>	Effective management of exterior spaces (e.g. beer gardens, smoking areas)	<p>Policies in place in relation to:</p> <ul style="list-style-type: none"> <li>▪ Supervision arrangements</li> <li>▪ How such areas will be kept clean and free of litter, particularly at the end of trading</li> <li>▪ Avoiding customers causing noise disturbance</li> </ul>
<b>PN5</b>	Cleansing arrangements and ensuring the premises and surrounding area are kept clean and free of litter	<p>Systems in place to ensure the premises and surrounding area are kept clean and free of litter at all times the premises is open to the public, and at the close of trade.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Contribution (including financial) to any community local initiatives or infrastructure</li> <li>▪ Cleaning initiatives beyond the immediate vicinity of the premises</li> </ul>
<b>PN6</b>	Responsible management of the use of flyers and other promotional material	<p>The distribution of flyers shall only be conducted in accordance with the terms of the requisite permit to distribute free printed material issued by the council.</p> <p>Flyers should not be posted at unsolicited residential addresses.</p>

<b>Ref:</b>	<b>Measure to be addressed</b>	<b>Criteria</b>
<b>PN9</b>	Prevention of customers causing disturbance when leaving the premises	<p>Policies for the dispersal of customers to ensure orderly conduct and minimise disturbance.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Supervision of customers leaving including preventing customers congregating outside</li> <li>▪ Use of a winding-down period</li> <li>▪ Providing a dedicated taxi/private hire calling service, which operates a call back facility</li> </ul>
<b>PN10</b>	Membership of any local Pub and Club Network/Off Licence Forum or other recognised partnership group	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ Participation in the local Pubwatch scheme</li> <li>▪ Support of any local resident / community schemes including the voluntary hosting of meetings</li> </ul>
<b>CH4</b>	Taking action to prevent proxy sales of alcohol from the premises	Operators should ensure staff are aware of the risks of proxy sales and take appropriate measures to deter offences.
<b>CH7</b>	Prevention of underage sales of age-restricted products and underage persons access	<p>The operation of Challenge 21 (on-licence) or Challenge 25 (off-licence) with acceptable forms of ID</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> <li>▪ The use of till prompts</li> <li>▪ Operation of mystery shopper exercises at own expense</li> </ul>

The special policy shall apply to all new and material variation applications within the Withington Stress Area. 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.

Each application will be considered on its individual merits.

Departure from policy is expected only in exceptional circumstances.

Exceptional circumstances will not include the quality of management or size of venue.

Applicants will be expected to have particular regard to all Key Factors of this Statement of Licensing Policy.

The Special Policy Area will be kept under review and where problems of crime and disorder or public nuisance are not improving, or are worsening, the policy will be reviewed.