To: Members of the Licensing Committee

Councillors:

Chair – B Maher
Deputy Chair – P Nelson

S Bland, W Brinksman, K Gleave,
J Joyce, K Bennett, T McCarthy, H Mundry,
S Roberts, S Wright, L Morgan and B Axcell

8 December 2014

Licensing Committee
Tuesday, 16 December 2014 – 6.30pm
Council Chamber, Town Hall, Sankey Street, Warrington

Please note – A training and information session will follow on the rise of the Committee - Alcohol in Warrington, The Wider Picture

Agenda prepared by Julie Pickles, Democratic and Member Services Officer – Telephone: (01925) 443212, Fax: (01925) 656278, E-mail: jpickles@warrington.gov.uk

A G E N D A

Part 1

Items during the consideration of which the meeting is expected to be open to members of the public (including the press) subject to any statutory right of exclusion.

Item

1. Apologies

To record any apologies received.

2. Code of Conduct - Declarations of Interest

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.
3. **Minutes of the Licensing Committee**

To confirm the minutes of the meeting of the Licensing Committees held on 15 October 2014 as correct records.

4. **Minutes of the Licensing Sub-Committee**

To confirm the minutes of the meetings of the Licensing Sub-Committee held on 13 October, 22 October and 30 October 2014 as correct records.

5. **Minutes of the Taxi Sub-Committee**

To confirm the minutes of the meeting of the Taxi Sub-Committee held on 6 October 2014 as a correct record.

6. **Draft Licensing Policy Statement 2015**

Report of the Executive Director of Economic Regeneration, Growth and Environment.

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**Part 2**

Items of a "confidential or other special nature" during which it is likely that the meeting will not be open to the public and press as there would be a disclosure of exempt information as defined in Section 100 I of the Local Government Act 1972.

**NONE**

If you would like this information provided in another language or format, including large print, Braille, audio or British Sign Language, please call 01925 443322 or ask at the reception desk in Contact Warrington, Horsemarket Street, Warrington.
Licensing Committee

15 October 2014

Present: Councillor P Nelson (In the Chair)
B Brinksman, K Gleave, T McCarthy,
L Morgan, S Roberts and S Wright

L 14 Apologies

Apologies for absence were received from Councillors B Maher, S Bland, J Joyce,
H Mundry and S Wright

L 15 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

L 16 Minutes of the Licensing Committee

Decision,

That the Minutes of the Licensing Committee meeting held on 2 September
2014 be approved and signed as a correct record.

L 17 Minutes of the Licensing Sub-Committee

Decision,

That the Minutes of the Licensing Sub-Committee meetings held on 2 & 18
September 2014 be approved and signed as correct records.

L 18 The Control of Pavement Cafes

The Committee received a report from the Executive Director, Economic
Regeneration, Growth and Environment that sought Members approval to re-consult
on the revised Pavement Café Policy.

At the Committee meeting of 25 March 2014 Members reviewed the existing policy
and approved officers to commence with an informal consultation. This consultation
resulted in 13 responses all of which were appended to the report.

As a result of these responses the policy had been amended and a copy was also
appended to the report with the changes highlighted. Officers requested that they be
authorised to re-consult on these changes prior to reporting back to the Committee
with recommendations.

During the ensuing discussions Members asked for clarity on the relationship
between permissions granted under the licensing regime and that gained through the
granting of planning permission. Officers advised that the applicant would need to be
compliant with both terms of operation. This would mean, for example, that even if
planning permission was granted with a terminal hour of 11.00pm and the pavement
licence was until 10.00pm, the applicant must stop the activity at 10.00pm.
Agenda Item 3

Members discussed the issue of smoking and asked officers to consider the matter carefully when revising the policy. It was acknowledged that smoking indoors and in some outdoor shelters was prohibited by law but for the purposes of pavement cafes this may not be the case.

Decision,

That the Committee noted the amendments to the policy and authorised Officers to re-consult on the revised policy

L 19 Warrington Safeguarding Children Board and Licensing Matters

The Committee received a report from the Executive Director, Families and Wellbeing, that outlined the response from Warrington Safeguarding Children Board (WSCB) in relation to the independent inquiry into child sexual exploitation (CSE) in Rotherham.

WSCB brought together all major organisations responsible for delivering services to children and young people in Warrington. They co-ordinated what was done by each agency to safeguard and promote the welfare of children and young people in the area and ensured the effectiveness of that work.

The Rotherham inquiry made severe criticisms of agencies involved with CSE, suggesting failures across the Police and Children’s Social Care at every level. This included issues and reports that taxi drivers and licensed premises had been directly linked to the abuse and trafficking of children.

It was acknowledged that the licensing regime in Warrington was robust and included enhanced DBS checks; and that the process was underway to have CCTV installed in every taxi licensed in Warrington. Additionally, the Chair of the Safeguarding Children Operational Group also attended the WBC Licensing Action Group which monitored licensable activities within the town.

One of the recommendations from the WSCB was that CSE training should be delivered to elected members (Licensing Committee members specifically), senior officers and Local Authority solicitors.

Decision

That the Licensing Committee noted the content of the report and requested that CSE training was delivered to all Councillors.

Signed ..................................

Dated.................................
Agenda Item 4

LICENSING SUB-COMMITTEE

13 OCTOBER 2014

Present: Councillor P Nelson (Chair)
Councillors L Morgan and H Mundry (substitute for Councillor B Maher)

LSC 59  Appointment of Chairman

Councillor Nelson was appointed Chairman for the duration of the meeting.

LSC 60  Apologies

Apologies for absence were received from Councillor B Maher.

LSC 61  Code of Conduct – Declarations of Interest

There were no declarations of interest received.

LSC 62  Application for a New Premises Licence – Shwarma Express, 69 Bridge Street, Warrington

The Sub-Committee received a report of the Assistant Director of Regulation and Public Protection Services in respect of an application for a new Premises Licence (without alcohol), for 69 Bridge Street, Warrington.

The Council had advertised the application for a new premises licence in accordance with the Licensing Act 2003, and during the consultation period the Council received representations from Cheshire Constabulary and Kuits Solicitors.

During the 28 day representation period, Officers found that the applicant had not complied with the requirements imposed on them regarding advertising the application at the premises. Officers therefore amended the last date for representations beginning on the date that the applicant first advertised their application at the premises, which was 22 August 2014.

The Sub-Committee was aware of its obligations under the Licensing Act 2003 and in particular the guidance issued under Section 182 of the Act together with the Council’s statement of licensing policy.

Members of the Licensing Sub-Committee considered carefully all of the written and verbal representations submitted by and on behalf of the applicant, Cheshire Constabulary and Kuits Solicitors.

The panel considered the merits of the case and in accordance with their duties described above and as advised by the legal officer.
Resolved,

The application for a new Premises Licence, for Shwarma Express, 69 Bridge Street, Warrington, be refused.

In determining this application the Panel considered all the relevant evidence and information presented to it, both written and oral, and took account of all the matters it is bound to take into account, in particular the following:

- The Licensing Act 2003;
- The Statutory Guidance;
- The Council's statement of licensing policy; and
- The Human Rights Act.

The Panel ignored any representations made to it which were not relevant to any of the licensing objectives.

In reaching this decision the Panel took the following facts into account:

The application concerned a premise’s seeking to provide late night refreshment in an area that was subject to a cumulative impact policy. Applications in this area will generally be refused unless an applicant is able to demonstrate that there would be no cumulative impact on any of the licensing objectives.

The Panel listened carefully to what the applicant had to say but were deeply concerned to note that the potential licensee had not submitted any representations as to how they would uphold the licensing objectives.

The Panel recognised that the applicant had attempted to minimise the impact on the licensing objectives by offering to provide a CCTV system. However, it was noted that very little evidence had been put forward to establish that the granting of the licence would not add to the existing levels of crime and disorder being experienced at present. The Panel were also concerned that the applicant did not feel that any further steps were required to address the impact that the granting of a licence would have on the licensing objectives.

The Panel also noted the representation as put forward by Cheshire Constabulary that CCTV does not prevent disorder, and that people do tend to congregate around late night takeaways causing flash points for trouble. The Panel further took into account the evidence presented by Cheshire Constabulary that this area is saturated with licensed premises at present and that the level of crime trebles between the hours of midnight and 1am.

The Panel also took into account that the premise’s was situated next door to taxi premises which has the potential to create disorder given the propensity for large crowds to gather at these venues.

The Panel noted and took into account the evidence offered up by Kuits Solicitors on behalf of the interested party.
The Panel did take into account their Cumulative Impact Policy when determining this application, in particular clauses 6.1.1, 6.2.3, 6.2.4, 6.4.1 and 6.7.1.

The Panel were also aware that the responsibility lies with the applicant to demonstrate that the granting of the licence, would not add to the existing levels of crime and disorder. Having taken all of the above into account the Panel determined that the applicant had not demonstrated that granting the application would not add to the cumulative impact already being experienced.

Any further late night licences would create further problems thereby exacerbating the potential for crime and disorder and add to the problems that are already being experienced at present.

The Panel in determining this application took into account that the premises sits squarely within the Cumulative Impact area and did not believe that allowing the application would promote the licensing objectives of:

Crime and Disorder;
Public Nuisance; and
Public Safety

Given the serious nature of incidents that can occur, the strong potential for further incidents and taking into account historical incidents that have occurred in relation to late night takeaways the Panel felt they could not justify the granting of this licence as they did not consider it to be an exception to the CIP Policy.

The applicant was informed of their right to appeal to the Magistrates Court within 21 days.

Signed .............................................

Dated..............................................
LICENSING SUB-COMMITTEE

22 OCTOBER 2014

Present: Councillor P Nelson (Chair)
Councillors S Bland and L Morgan (substitute for Councillor B Maher)

LSC 63 Appointment of Chairman

Councillor Nelson was appointed Chairman for the duration of the meeting.

LSC 64 Apologies

Apologies for absence were received from Councillor B Maher.

LSC 65 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

LSC 66 Application for a New Premises Licence – The Brecks, 67 Bridge Street, Warrington

The Sub-Committee received a report of the Assistant Director of Regulation and Public Protection Services in respect of an application for a new Premises Licence (without alcohol), for 67 Bridge Street, Warrington.

The Council had advertised the application for a new premises licence in accordance with the Licensing Act 2003, and during the consultation period the Council received representations from Cheshire Constabulary and a local business in the vicinity of the application site.

The Sub-Committee was aware of its obligations under the Licensing Act 2003 and in particular the guidance issued under Section 182 of the Act together with the Council’s statement of licensing policy.

Members of the Licensing Sub-Committee considered carefully all of the written and verbal representations submitted by and on behalf of the applicant, Cheshire Constabulary and the local business representative.

The panel considered the merits of the case and in accordance with their duties described above and as advised by the legal officer.

Resolved,

The application for a new Premises Licence, for The Brecks, 67 Bridge Street, Warrington, be refused.
In determining this application the Panel considered all the relevant evidence and information presented to it, both written and oral, and took account of all the matters it is bound to take into account, in particular the following:

- The Licensing Act 2003;
- The Statutory Guidance;
- The Council’s statement of licensing policy; and
- The Human Rights Act.

The Panel ignored any representations made to it which were not relevant to any of the licensing objectives.

In reaching this decision the Panel took the representations submitted by the applicant and their representative, Cheshire Constabulary and a business within the vicinity, all of whom were represented at the hearing.

Members in their determination of the application took into account that the application concerned a premise’s seeking to provide late night refreshment in an area that was subject to a cumulative impact policy. It was noted that applications in this area will generally be refused unless an applicant is able to demonstrate that there would be no cumulative impact on any of the licensing objectives.

The Panel listened carefully to what the applicant had to say and recognised that the applicant has attempted to minimise the impact on the licensing objectives by offering to provide a CCTV system. However, the panel noted the representation as put forward by Cheshire Constabulary that CCTV does not prevent disorder, and that people do tend to congregate around late night refreshment venues causing flash points for trouble. The Panel further took into account the evidence presented by Cheshire Constabulary that this area is saturated with licensed premises at present and that the level of crime trebles between the hours of midnight and 1am.

The Panel also took into account that the premise’s was situated next door to a taxi premises which has the potential to create disorder given the propensity for large crowds to gather at these venues.

It was noted that the Applicant had offered to accept any conditions which the Panel felt necessary to address the licensing objectives. The Panel found that granting the application would have a negative impact and that there were no appropriate conditions that they could impose, that would be effective in preventing the problems associated with late night refreshment venues. Furthermore, whilst the applicant had offered to shorten the hours as applied for the Panel felt that this would not address the issue of saturation already being experienced in this area.

The Panel took into account those sections of the Council’s Cumulative Impact Policy referred to by the applicant’s representative when determining this application but placed greater weight on the following sections of that policy:
6.1.1 the impact on the promotion of the licensing objectives on the number, type and density of licensed premises in a given area, may lead to serious problems of disorder and nuisance outside and some distance from the premises. This is described as the ‘cumulative impact’ and is a proper matter for consideration by the Licensing Authority.

6.7.1 Research shows that where there is a concentration of licensed premises there will be the most potential for violence and disorder. This may be exacerbated by hot food takeaways situated in the same area that prolongs the time it takes the crowds to disperse when licensed premises close at the end of an evening. Special consideration should therefore also be given to applications for take away premises.

The Panel also took the following sections of the S182 Guidance into account when making their determination:

3.15 In particular - The key licensing objectives in connection with late night refreshment are the prevention of crime and disorder and public nuisance.

13.20 more particularly – Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

13.21 – Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also increase the incidence of other criminal activities such as drug dealing etc.

13.22 – Variable licensing hours - Whilst it was argued that variable licensing hours may facilitate a more gradual dispersal of customers from premises, it is acknowledged in some cases that the impact on surrounding areas of the behaviour of the customers of all premises taken together will still be greater than the impact of customers of individual premises.

The Panel took into account the evidence as submitted by Cheshire Constabulary that there were a number of late night refreshment venues in Bridge Street and they were of the view that the area had reached a saturation point in terms of such uses. The Panel accepted this.

It was noted that the area was covered by the CIP and that this was currently being reviewed as part of the Councils current Licensing Policy. Whilst it was argued on behalf of the applicant that the existing CIP did not include late night refreshment venues, Cheshire Constabulary had provided statistics which supported their view that patrons leaving bars and clubs within the area late at night/in the early hours would congregate outside these venues giving rise to incidents of crime and/or disorder or anti-social behaviour.
The Panel are aware that the responsibility lies with the applicant to demonstrate that the granting of the licence, would not add to the existing levels of crime and disorder. Having taken all of the above into account the Panel determined that the applicant had not demonstrated that granting the application would not add to the cumulative impact already being experienced.

Any further late night licence would create further problems thereby exacerbating the potential for crime and disorder and add to the problems that are already being experienced at present.

The Panel in determining this application took into account that the premises sits squarely within the Cumulative Impact area and did not believe that allowing the application would promote the licensing objectives of:

Crime and Disorder;
Public Nuisance; and
Public Safety

Given the serious nature of incidents that can occur, the strong potential for further incidents and taking into account historical incidents that have occurred in relation to late night refreshment venues with the CIP area the Panel felt they could not justify the granting of this licence as they did not consider it to be an exception to the Cumulative Impact Policy.

The applicant was informed of their right to appeal to the Magistrates Court within 21 days.

Signed ......................................

Dated...........................................
LICENSING SUB-COMMITTEE

30 October 2014

Present: Councillor P Nelson (Chair)
Councillors B Axcell and S Bland

LSC 67 Appointment of Chairman

Councillor P Nelson was appointed Chairman for the duration of the meeting.

LSC 68 Apologies

There were no apologies for absence received.

LSC 69 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

LSC 70 Application for a Temporary Events Notice under the Licensing Act 2003 – Friars Court / The Venue, Barbauld Street, Warrington, WA1 1EX

The Sub-Committee received a report of the Assistant Director of Regulation and Public Protection Services in respect of an application for a Temporary Events Notice (TEN) from Mr Simon Pugsley in relation to Friars Court / The Venue, Barbauld Street, Warrington, WA1 1EX

Members were advised that the notice of the TEN had been served on the Licensing Authority and in response to this a representation had been received from Cheshire Constabulary.

The application was to cover the licensable activities of the sale of alcohol (on premises only) and the provision of regulated entertainment between the hours of 04.00 – 05.00 on Saturday, 29 November and Sunday, 30 November 2014.

Members of the Licensing Sub-Committee considered carefully all of the written and verbal representations submitted by and on behalf of the applicant and Cheshire Constabulary.

Having regard to the Objection Notice as submitted by Cheshire Constabulary, members of the Licensing Sub-Committee:

Resolved,
Not to issue a Counter Notice under Section 105(2) of the Act as Members of the panel did not consider it appropriate to do so for the promotion of the Licensing objective of the prevention of Crime and Disorder.

Under Section 106 of the Act and with the agreement of the applicant members determined to impose all of the conditions which ordinarily apply to the premises licence which are not inconsistent with the application.

Reason,

Members were satisfied that although there had been a number of incidents in the past, it was felt that allowing the Temporary Event would not impact on the licensing objective of Crime and Disorder.

Signed ...........................................

Dated.............................................
TAXI SUB COMMITTEE
6 OCTOBER 2014

Present: Councillors P Nelson – Chairman
Councillor B Axcell and B Maher

TSC 13 **Appointment of Chairman**

Councillor P Nelson was appointed as Chairman for the duration of the meeting.

TSC 14 **Apologies**

There were no apologies for absence received.

TSC 15 **Code of Conduct – Declarations of Interest**

There were no declarations of interest received.

TSC 16 **Exclusion of the Public (Including the Press)**

Resolved,

That, members of the public (including the Press) be excluded from the meeting by reason of exempt information considered in the course of the following item of business being within Category 1 of Schedule 12A to the Local Government Act 1972.

TSC 17 **To consider the fitness of an applicant to continue to hold a Joint Hackney / Private Hire Drivers Licence (MJM09071950)**

The Sub-Committee received a report of the Assistant Director of Transport and Environment, to consider the fitness of a driver to hold a Hackney / Private Hire Driver licence.

The applicant appeared before the Sub-Committee to present his case and to answer questions from Members.

All parties then left the meeting whilst the Sub-Committee considered the matter further.

Decision –

That the driving standards of the licence holder needed to be addressed. Should the driver wish to continue to hold a joint hackney/private hire driver's licence he was required successfully complete the DVSA taxi driving test within 12 weeks.

Reason -

Members took into account the written and oral evidence
The Sub-Committee was advised that a warning regarding motoring convictions was issued to the licence holder in April 2013 which appears to have gone unheeded and further driving convictions had been received.

Taking all of the above into account, members determined that as the driver’s Hackney / Private Hire Driver licence was due to expire they would take no action. However, should he make the decision to re-apply he would need to pass the DVSA driving test within 12 weeks of 6 October 2014.

The driver was informed of his right to appeal against this decision within 21 days to the Magistrates Court.

Signed……………………………

Date………………………..
TITLE OF REPORT: Licensing Policy Statement

1. PURPOSE OF THE REPORT

1.1 To advise committee on the development of an updated Statement of Licensing Policy.

1.2 To seek any initial comments or feedback on the proposed content of the policy.

2. BACKGROUND

2.1 The Licensing Act 2003 (The Act) requires the Licensing Authority (Warrington Borough Council), to determine its policy with respect to the sale and supply of alcohol, the provision of regulatory entertainment and the provision of late night refreshment.

2.2 The original policy was adopted in January 2008 and subsequently updated in January 2011.

2.2 In common with other authorities, the statement has been traditionally prepared having regard to national guidance, which is primarily focussed on how the authority will discharge its responsibilities with respect to the Act and associated guidance.

2.3 A number of authorities are now seeking to include more detail within their statements on local policy considerations, to ensure that they are in a stronger position to tackle specific alcohol related issues, to promote the Licensing Objectives, and to help shape the local night time economy.

2.4 Statements of licensing policy may set out a general approach to taking licensing decisions; they must not ignore or be inconsistent
with the Act. The statement of policy must not undermine the right of an individual to have their application determined on its relative merits; having regard to the facts of the case and the evidence available. The statement of policy is not absolute and it must not result in any element of prejudgement or predetermination.

2.5 The development of a safe and welcoming night-time offer with a broad appeal is dependent on a number of factors such as design, safety, demand and offer. It is important that all these key components are brought together, within an overarching partnership, and that sole reliance is not placed on the Statement of Licensing Policy. Equally, it is important the policy is responsive to local needs and that it actively promotes the Licensing Objectives.

2.6 Policies are now only required to be updated every five years, which means that the Licensing Authority must determine its latest policy by January 2016. However, it is incumbent on the authority to keep their policies under review.

3. DEVELOPMENT OF A REVISED STATEMENT OF LICENSING POLICY

3.1 There have been a number of important changes to the Act recently, which need to be reflected within the document. The Joint Strategic Needs Assessment also demonstrates that alcohol is continuing to have a significant impact on the town and the health of our residents.

3.2 The Priority Action Group (PAG) on alcohol seeks to develop a shared understanding of alcohol harm, and the group has endorsed the move towards a more local policy. Examples of national best practice have also been sought, whilst regard has been given to important local issues and policy direction.

3.3 The latest draft seeks to bring the policy up to date; in order to reflect changes in legislation and to be more responsive to local issues, which impact adversely on the promotion of the Licensing Objectives. Whilst each case must be considered on its relative merits, the revised policy also seeks to provide clearer direction to members; in order to assist them in determining applications and reviews. The latest draft is set out in appendix 1. The key changes are highlighted in italics. In summary the key changes are:

- New section on visions and values to reflect local policy direction and key aims and objectives of strategic partners within the town (section 3).
• Update to guidance of the prevention of harm to children to improve links and references to the need for child protection, particularly with reference to child sexual exploitation, proxy sales and under age events (section 5).
• New section on health and wellbeing (Section 5.5).
• Updates to reflect changes to legislation and guidance (Section 8).
• A new section on operating schedules to promote compliance with the Act, and to encourage applicants to consider how they will actively promote the Licensing Objectives, at the time of application (section 8.3).
• A new section on the suspension of a licence for the non-payment of fees in accordance with the Act.
• A new section on premises management to promote well run, safe and welcoming establishments, which actively promote the Licensing Objectives (Section 10).
• A new section on recommended framework of hours to assist applicants and to help to provide a safe and vibrant night time economy (Section 10.4).
• An updated section on Cumulative Impact Policies to provide clarity on effect of these policies on the determination of applications (Section 16).
• A new guide to applicants to assist them in submitting their applications and to help shape priority areas within the town (Appendix 3 of the policy).

3.4 It is important that the Licensing Authority proceeds towards the adoption of a revised Licensing Policy. This will need to be subject to consultation prior to any adoption. A provisional timeline for adoption is set out in Appendix 2.

4. CUMULATIVE IMPACT AREAS

4.1 In areas where the number, type and density of premises selling alcohol is high or serious problems of nuisance or disorder may be arising, or have begun to arise outside of premises, the Licensing Authority may seek to adopt a special policy, known as a Cumulative Impact Policy (CIP). In doing so it should be satisfied that there is a sufficient evidence base to include a special policy within the Statement of Licensing policy.

4.2 The current policy includes two CIP areas, namely the town centre and Stockton Heath. The evidence which underpins these decisions dates back to 2009/10. There have been a number of changes to the
late night economy in these areas and to levels of recorded crime and disorder.

4.3 These areas were previously adopted on crime and disorder grounds. However, whilst CIPs are not specifically mentioned within the Act, the guidance lists a number of other sources of evidence, which may be considered, such as the outcomes of any survey, cleansing costs, evidence from Councillors, complaints and any observations conducted in the area.

4.4 The latest evidence base, provided by the Joint Licensing Enforcement Group, is included within Appendix 3. This includes the costs of street cleansing, the views of town centre residents and generic health data. The Community Safety Partnership (CSP) maintains that serious concerns remain about crime and disorder in the Town Centre, which is largely associated with the high density of licensed premises in the Bridge Street area. The supporting information on resident views also applies to the Cultural Quarter, particularly given the number of residential properties around this area, which formed part of the survey. It is currently proposed to consult on two town centre based CIPs around Bridge Street and the Cultural Quarter.

4.5 Crime and disorder levels in Stockton Heath have fallen since 2009; such that the CSP believes that there is no current evidence base, on crime and disorder grounds alone, to justify the continuation of the special policy in Stockton Heath. However, it is important that we evaluate the overall impact of the late night economy in this area. A survey of local residents, seeking their views, will therefore be carried out. This will enable an appropriate assessment to be made on the need for the Stockton Heath CIP.

4.6 It is important that any decisions are taken giving due weight and regard to any resultant effect on the surrounding areas. The policy therefore includes a framework of hours and guidance to help to shape, and where possible, direct premises to appropriate locations based on their intended business model.

4.7 The effect of adopting a CIP, within the Licensing Policy Statement, is to create a rebuttable presumption that applications for the grant or variation of premises licences, which are likely to add to the existing cumulative impact, will normally be refused, or subject to certain limitations, following the receipt of relevant representations. However, a special policy is not absolute and each application still needs to be determined on its relative merits. The Licensing
Authority is therefore still obliged to show that the grant of the application would undermine one or more of the Licensing Objectives, and that the imposition of conditions would be ineffective in preventing the problems involved.

5 CONSULTATION

5.1 The Licensing authority must carry out consultation with a prescribed list of consultees, listed in section 5(3) of the Act, before determining its policy. Their views must be given appropriate weight when the policy is determined. Subject to the statutory requirements; it is for each Licensing Authority to determine the extent of the consultation.

5.2 It is the intention of the Licensing Authority to consult as widely as possible on the proposed policy, subject to a future report to Licensing Committee, to seek approval to consult.

6 CONFIDENTIAL OR EXEMPT

6.1 There are no confidential or exempt issues.

7 FINANCIAL CONSIDERATIONS

7.1 The preparation and publication of a Licensing policy Statement is covered within the fees and charges.

8 CONCLUSION

8.1 The Council is required to keep its Statement of Licensing Policy under review. A number of changes to the policy are proposed. Member’s need to be aware of these changes and the proposed timescales for adoption.

9 RISK ASSESSMENT

9.1 It is right and proper that the policy is kept under review and the Council is legally required to adopt a Statement of Licensing Policy by January 2016. The adoption of an appropriate policy will assist all parties with an interest in licensing regime, including local residents, by providing a clearer local policy direction. This should ultimately help to deliver an improved night-time offer that is safe and welcoming to all; with a broad appeal.

9.2 Statements of licensing policy may set out a general approach to taking licensing decisions; but they must not ignore, or be
inconsistent with, the Act. The statement of policy must not undermine the right of an individual to have their application determined on its relative merits; having regard to the facts of the case and the evidence available.

9.3 As with any licensable activity, a party who is aggrieved by any decision of the Council may make a complaint to the Ombudsman, appeal the decision, or have the decision judicially reviewed.

9.4 The publication of a more specific local policy that provides additional direction over and above that provided in the Act and supporting guidance, should serve to improve local democracy and transparency. The statement of policy cannot be absolute, and it must not result in any element of prejudgement or predetermination. The content of the policy will therefore always be open to challenge and scrutiny.

10.1 EQUALITY AND DIVERSITY/EQUALITY IMPACT ASSESSMENT

10.1 The Council has a legal duty to proactively promote race, gender and disability equality and to tackle discrimination experienced by vulnerable groups. It is the role of the Licensing Authority to administer the licensing regime in accordance with the law and each application will be considered on its merits.

11 RECOMMENDATIONS

That committee:-

11.1 Consider and note the proposed changes to the Statement of Licensing Policy.

BACKGROUND PAPERS

Contacts for Background Papers

<table>
<thead>
<tr>
<th>Name</th>
<th>E-mail</th>
<th>Telephone</th>
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<tbody>
<tr>
<td>Dave Watson</td>
<td><a href="mailto:dwatson@warrington.gov.uk">dwatson@warrington.gov.uk</a></td>
<td>01925 442590</td>
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APPENDIX 1: DRAFT STATEMENT OF LICENSING POLICY

Statement of Licensing Policy

Licensing Act 2003

WARRINGTON Borough Council
LIST OF CONTENTS

Section 1: General Policy

1.1 Introduction 1

1.2 Consultation 1

Section 2: Purpose and Scope

2.1 Introduction 2

Section 3: Visions and Values

3.1 Introduction 3

3.2 Vision 3/4

3.3 Policy Context 4/5

3.4 Our Objectives 5/6/7

Section 4: Profile of Warrington

4.1 Location and profile 8

Section 5: Licensing Objectives

5.1 Crime Prevention 9

5.2 Public Safety 9/10

5.3 The Prevention of Public Nuisance 10/11

5.4 Children 11/12/13/14

5.5 Health and Wellbeing 14

Section 6: Relationships with Related Policies

6.1 Introduction 15
6.2 Duplication 15
6.3 Planning 16
6.4 Culture 16
6.5 Equal opportunities 16

Section 7: Sexual Entertainment

7.1 Nudity and Striptease 17

Section 8: Applications

8.1 Introduction 18/19/20
8.2 Determination of the application : General Principles 20/21
8.3 The Operating Schedule 21/22
8.4 Personal Licences 23/24
8.5 Premise Licences/Club Certificates 24/25/26
8.6 Variations to Premise Licences 26/27
8.7 Temporary Event Notices 27/28/29/30

Section 9: Suspension of Premise Licence for non-payment of fees

9.1 Introduction 31

Section 10: Premise Management

10.1 Governing Principles 32/33
10.2 Risk Assessments 33
10.3 Rewarding Compliance, tackling poor performance 33/34
10.4 Framework of Hours 35/36
10.5 Designated Premises Supervisor

10.6 Door Supervisors

10.7 Off Sales (off Licences)

10.8 Layout and Operation of Premises

10.9 Takeaway Food Premises

10.10 Smoking, Drinking and Eating Outside

10.11 Use of Toughened Glass and Polycarbonates

10.12 Drugs Policy

10.13 Noise

10.14 Dispersal Policies

10.15 Illicit Goods

Section 11: Conditions

11.1 Introduction

Section 12: Enforcement

12.1 Introduction

Section 13: Hearings

13.1 Introduction

Section 14: Reviews

14.1 Introduction

Section 15: Cinemas

15.1 Films
## Section 16: Cumulative Impact and Special Policies

16.1 Introduction 50

16.2 Legislative Framework 50

16.3 Reasons for the Cumulative Impact Policy 51/52

16.4 Areas covered by the Cumulative Impact Policy 52

16.5 Implications on Applications and Variations 52/53

16.6 Areas outside of the Policy 53

16.7 Review 53

16.8 Conclusion 54

## Section 17: Review of the Policy

17.1 Introduction 55

### Appendices

Appendix 1 – Delegation of functions from the licensing committee 56

Appendix 2 - Plan showing the proposed Town Centre Cumulative Impact Policy Areas and key regeneration and growth areas within the town centre 57

Appendix 3 – Guide to Licensing Policy Considerations and Framework of Recommended Hours 58/59/60/61/62

Appendix 4 – Other policies, legislation, case law and guidance 63

Appendix 5 – Useful references (organisations) 65

Appendix 6 – Glossary of terms 67/68

Appendix 7 – Maps in reference to Section 6 69/70
Cumulative Impact Policy
Contact Details/ Advice and Guidance

Applicants can obtain further details about the licensing and application processes, including application forms, fees, and details regarding each type of application, including the minor variations process by contact with Warrington Borough Council at www.warrington.gov.uk by Telephone on 01925 442119/2072, Fax 01925 442564, by email to cexlicensing@warrington.gov.uk or by post to:-

Warrington Borough Council
Regulation and Protection
Licensing Section
New Town House
Buttermarket Street
Warrington
WA1 2NH

Applicants can also apply by making electronic application at www.gov.uk.

Applicants should also forward application to Responsible Authorities. A list of contact details is available at www.warrington.gov.uk

Further Guidance on the application process, hearing and relevant offences is available at www.warrington.gov.uk

The Licensing Authority would encourage informal discussion before the application process in order to resolve potential problems and avoid unnecessary hearings and appeals.
EXECUTIVE SUMMARY

Pubs, clubs, restaurants and other businesses selling food and alcohol have an important part to play in the social and cultural life of the borough, and we wish to support these businesses in operating responsibly. At the same time we have a duty to protect the rights of residents and others to the peaceful enjoyment of their neighbourhood.

The Licensing Act 2003 governs the sale/supply of alcohol, regulated entertainment and late night refreshment. The promotion of the licensing objectives helps us to deliver our vision for the town and to address important issues around alcohol related harm, crime and disorder, public nuisance, the protection of children and public safety.

We are required under the Licensing Act to produce a Licensing Policy Statement. This is the fourth revision and it has been amended to reflect the changing nature of the town and new guidance and procedures introduced since the original publication of the first statement in 2005.
1 GENERAL POLICY

1.1 Introduction

1.1.1 The Licensing Authority is required to publish a Statement of Licensing Policy. This policy statement has been prepared and published in accordance with the provisions of the Licensing Act 2003, and with regard to the guidance issued under Section 182 of that Act, and any supporting regulations that may from time to time be made.

1.1.2 This policy statement is the fourth revision and it takes effect from XXXXXX

1.1.3 In drawing up this policy the Council has had regard to the nature of the borough and the needs and wishes of local communities. We have consulted with all the statutory consultees and other appropriate bodies, and given due consideration to all comments received.

1.1.4 We will endeavour to work with everyone to ensure that a consistent and fair approach is taken.

1.1.5 The licensing regime is built around the promotion of the four licensing objectives.

The licensing objectives:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.1.6 This statement sets out how we will promote the objectives when making decisions on applications made under the Act. Each objective will be treated with equal importance.

1.2 Consultation

1.2.1 This is the fourth revision of this Policy Statement and it has been developed after proper consultation with statutory consultees and other interested parties. The authority has given due regard to the consultation responses when formulating this Policy Statement. The list of consultees is maintained separately from this Policy Statement and is available from the licensing team upon request.

1.2.2 In determining this Policy Statement, the authority has given regard to the guidance and given proper weight to the views of those it has consulted.
2 PURPOSE AND SCOPE

2.1 Introduction

2.1.1 Warrington Borough Council ("the Council") is the Licensing Authority ("the Authority"), under the Licensing Act 2003 ("the Act"), and is responsible for granting Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in respect of the retail sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment.

2.1.2 The primary purpose of the policy statement is to set out how the council will promote the licensing objectives in a fair and consistent manner.

2.1.3 The licensing process can only seek to control those measures within the control of the Premises Licence holder and the Designated Premises Supervisor. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder. The Licensing Authority will, however, consider the cumulative impact and any requirement for a special policy.

2.1.4 This policy statement has been prepared having regard to the statutory provisions and associated guidance. As such the authority must abide by the provisions of the Act. However, the authority may depart from guidance where it is reasonable to do so; full justification will be given for any such departure.

2.1.5 This policy cannot detail all the factors that influence the achievement of the licensing objectives, nor can it detail all the control measures that may be appropriate.

2.1.6 In the interests of speed, efficiency and cost effectiveness the Council has determined which decisions and functions should be carried out by the Council’s full Licensing Committee, or delegated to a Sub-Committee or Council Officers. Appendix 1 to this policy sets out how the Council will approach the carrying out of different functions. The Licensing Committee will receive regular reports on decisions made by Officers to maintain an overview of the general situation.

2.1.7 The advice and guidance contained in this Statement of Licensing Policy is intended only to assist readers in consulting the policy and should not be interpreted as legal advice. Readers are strongly advised to seek their own legal advice, if they are unsure of the requirements of the Licensing Act 2003, or of the guidance or regulations issued under the Act.
3 VISIONS AND VALUES

3.1 Introduction

3.1.1 Partners across Warrington are committed to promoting the long term wellbeing of the people who live and work in Warrington and recognise that factors contributing to wellbeing cover a broad range of areas ranging from physical and mental health, to economic prosperity, to feelings of safety and a pleasant living environment. This means everyone in the borough has a role to play in promoting wellbeing; wellbeing is everyone’s business.

3.1.2 This licensing policy contributes to the overall vision of wellbeing for Warrington by providing a framework for sound policy decisions.

3.1.3 We recognise that as well as responsible authorities anyone has the democratic right to be involved in local decisions and we are keen to take account of their views.

3.1.4 Whether you live, work, visit the night-time economy, run local businesses or are affected by the operation of licensed premises; alcohol, and more importantly its misuse, can impact on people’s lives and sense of wellbeing.

3.1.5 We also know that a number of people choose not to use our night-time economy and we acknowledge their right to a say.

3.2 Vision

3.2.1 The Warrington Strategy for Wellbeing sets a vision of:-

“Making Warrington a place where we can all be proud to live, work and do business....”

3.2.2 It highlights partners’ commitment to achieving long term wellbeing for residents of the borough.

3.2.3 Warrington Borough Council has also pledged to:

- protect the most vulnerable
- support the local economy
- help build strong and active communities for all.

3.2.4 The licensing policy has a strong role to play in supporting the delivery of our vision for the town by providing the right policy framework to help establish Warrington as a safe and welcoming place, which appeals to all.
3.2.5 The policy recognises its role in the promotion of wellbeing right across the borough.

3.2.6 Warrington has a nationally recognised reputation as being an economically dynamic and well connected destination. The vision for Warrington’s regeneration and growth seeks to enhance this reputation by strategic development opportunities that will deliver improved infrastructure, will bring forward investment opportunities, will deliver more jobs and homes, all within a sustainable environment. Warrington's ambitious vision is set out in the framework document “Warrington Means Business” that sets out not only the priority developments within the borough, but also how the town forms part of a regional economic development agenda; utilising concepts such as the Atlantic Gateway to integrate our growth with both Liverpool, Manchester and other parts of the North of England.

3.2.7 Regeneration, growth and investment opportunities can help to shape our daytime, evening and night-time economies bringing exciting new options for delivering change and for promoting the Licensing Objectives. We understand that decisions around alcohol and other licensable activities can also play a role in promoting long term health and wellbeing.

3.3 Policy context

3.3.1 It is a function of the Licensing Act to promote the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

3.3.2 It is important that the policy statement as far as is reasonably practicable, supports, and is consistent with, the strategic aims of the council and its partners.

3.3.3 This includes the shared aspiration to promote long term health and wellbeing set out in the Strategy for Wellbeing, the vision in the Local Plan Core Strategy to make Warrington one of the best places to live and work in the UK, where everyone enjoys an outstanding quality of life and the aims and aspirations set out in “Warrington Means Business” around ensuring the town centre is seen as a lively place with a whole mix of uses.

3.3.4 The Council wants members of the licensing trade to be part of this vision and to help shape the future of the town. By working together we can create a vibrant, safe and welcoming early evening and night-time economy, which helps local businesses to create viable and sustainable business models. Appendix 2 shows the key areas within the town centre, and Appendix 3 is designed to help to shape the future development of these areas and to provide guidance to the licensing trade.
3.3.5 We also wish to protect and grow our town and district centres in a way that ensures that future uses are commensurate to the needs and aspirations for that area.

3.4 Our Objectives

3.4.1 We want to work together to:

- Provide a safe environment for people to enjoy
- To broaden the appeal of the late night economy
- To create an environment that attracts appropriate investment and allows responsible businesses to thrive and grow
- To tackle alcohol related harm and to promote health and wellbeing
- To address any negative perceptions around the town centre and to re-invigorate people to work together to deliver real change.

3.4.2 We will do this by:

Safe environment for people to enjoy:

- Working with the trade to raise standards by rewarding compliance and by taking action against those who seek not to comply.
- Encouraging businesses to develop alternative business models, which do not unduly rely on the high volume sale of cheap alcohol.
- Encouraging businesses to bring back the 'terminal' hour to reduce the potential for pre-loading and the excessive consumption of alcohol.
- Taking tough, firm and effective action against those who seek not to comply with the law or those who continue to act in a way that is contrary to the promotion of the licensing objectives.
- Improving guardianship and care and to take action against those people who target the vulnerable.
- Working together to reduce alcohol harm and to promote the responsible retail of alcohol.
- Working with partners to provide positive, targeted and effective regulation.
- Working with the door supervisor industry to provide a high quality service that is commensurate to the needs of the area.
- Building a credible and robust intelligence base on crime and disorder and alcohol harm that allows firm and proportionate action to be taken.
- Working with all partners to create a 'gateway' around the town centre that actively discourages those who are intent on crime and anti-social behaviour from entering, or remaining in, the town.
- Providing well lit areas where people feel safe.
• Using special policies to ensure that the number of bars and hot food takeaway establishments are commensurate to the needs of the area.

3.4.3 **Broaden the appeal of the late night economy.**

• Work in partnership with the private sector to focus on strategic regeneration opportunities.
• We will work with business leaders to ensure that regeneration activity and investment minimises the impact on residents.
• Playing to the strengths of different areas around the town centre and to promote future uses that are consistent with the needs and character of those areas. For example, we will deliver a new cinema, restaurants, Council offices and a food market in the Bridge Street Regeneration Scheme that will provide a new and vibrant offer for families in the town centre, we will create a business district in the Stadium Quarter of the town centre that will provide a safe environment and an early evening economy, We will also work with private sector businesses and other public sector partners to develop a sustainable cultural offer and a vibrant daytime and evening economy in the Cultural Quarter.
• Creating an environment that gives businesses the confidence to move away from high volume vertical drinking towards a broader, higher quality offer.
• Promoting a café and restaurant culture.
• Encouraging developers and investors, who share our ambitions, to choose to invest in the town.
• Closing the gap between the early evening and late-night economy and to encourage a more diverse mix of people to enjoy the town centre.
• Better understand the needs and expectations of both existing customers and those who currently choose not to use the town centre.
• Maximising the appearance of our buildings and street architecture.
• Promoting a rich and diverse cultural offer.
• Encouraging and promoting a respect for the town centre and to take action against those who choose to deface or devalue the area.
• Ensuring that it is easy to get to and to leave the town.

3.4.4 **Promote Health and wellbeing**

• Ensuring that we make a positive contribution to the alcohol harm reduction strategy
• Reducing underage access to alcohol and to educate young people on the dangers of misusing alcohol.
• Tackling illicit goods that put people at risk.
- Working with our partners to access data on alcohol related harm e.g. Hospital admissions and ambulance data.
- Working with partners to promote the responsible retailing of alcohol, including the sale of strong beers and ciders.
- Working with partners with respect to late night refreshment and hot food takeaways.

**Key Messages:**

The Licensing Authority wishes to encourage applications for restaurants and other predominantly seated venues which do not adversely impact upon the licensing objectives, in contrast to those that predominantly offer vertical drinking.

Whilst each applicant will be determined on its relative merits existing premises are strongly advised to consider the impact of their current, or planned, operating hours on the Licensing Objectives. A framework of recommended hours is set out in appendix 2, and all premises are encouraged to adopt these hours.

Applications must demonstrate how the licensing objectives are to be promoted.
4 PROFILE OF WARRINGTON

4.1 Location and Profile

4.1.1 Warrington covers 70.19 square miles and has a residential population of some 202,700 people. It is situated between Manchester and Liverpool at the centre of the North West region’s communications network. The M6, M56 and M62 motorways intersect within the borough, connecting it to all parts of the region and beyond.

4.1.2 It is a borough of dramatic contrasts with rural, idyllic villages and industrial heritage. The town of Warrington in the centre of the borough is the largest and most densely populated, with outlying villages such as Lymm, Culcheth and Burtonwood having their own range of shops and services. For further information of the wards of Warrington, ward profiles are available to download.

4.1.3 The borough also lies on the main north-south (West Coast Main Line) and east-west (Trans-Pennine) rail routes. Manchester International and Liverpool John Lennon Airports both lie within easy reach.

4.1.4 Two significant waterways flow through the main urban area; the River Mersey and the Manchester Ship Canal. The town’s crossing point of both river and canal is an essential part of its character.

Figure 1 Location of Warrington

Source: http://www.warrington.gov.uk/info/200358/facts_and_figures
5 LICENSING OBJECTIVES

5.1 Crime Prevention

5.1.1 This policy is supported by the local Crime and Disorder Reduction Partnership and reflects their concerns. So far as possible, conditions attached to licences and certificates will reflect local Crime Prevention Strategies. This policy also takes account of the Council’s statutory duty under Section 17 of the Crime and Disorder Act 1998. We will work with partners to do all we can to address alcohol related crime and disorder.

5.1.2 Designated public places orders (DPPOs) are a tool that can be used by local authorities to deal with the problems of anti-social alcohol drinking in public places. Once a DPPO is in place the police can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse. DPPOs are available in areas that have experienced alcohol-related anti-social behaviour problems. They have been used across the country in areas ranging from a single street or park, to town centre.

5.1.3 The Licensing Authority supports the use of DPPOs as a tool to prevent crime and disorder by tackling antisocial behaviour associated with the consumption of alcohol in the street. The Designated Public Place Orders (DPPOs) give police officers discretionary powers to require a person to stop drinking and confiscate alcohol or containers of alcohol in public places.

5.2 Public Safety

5.2.1 This objective is concerned primarily with the physical safety of the people using the relevant premises. Accordingly, the authority expects premises to be able to demonstrate full compliance with the Health and Safety at Work etc Act 1974 (and associated secondary legislation/guidance) and Fire Safety Legislation.

5.2.2 It is essential that premises covered by this Policy Statement are constructed or adapted and operated to safeguard occupants against the risks to their safety.

5.2.3 Where necessary and appropriate, the authority will encourage applicants to provide evidence within their operating schedule that they have satisfactorily addressed public safety issues with respect to the operation of their premise(s).
5.2.4 The Authority will pay particular regard to relevant representations from the Council’s technical officers as well as from Cheshire Fire and Rescue Service, Cheshire Constabulary, Families and Wellbeing Directorate and Public Health Trusts to determine if measures proposed are sufficient to ensure the safety of the public. The authority will not normally grant an authorisation where relevant representations are made by one of these bodies expressing serious concern regarding public safety, unless the applicant can demonstrate compelling reasons why the application should be approved in the light of those representations.

5.2.5 Where a relevant representation has been received, prior to the determination of an application for a Premises Licence or Club Premises Certificate, an applicant may be required to provide the Authority with such certificates that are necessary and/or appropriate to ensure the safety of the premises.

5.3 The Prevention of Public Nuisance

5.3.1 Licensed premises have a significant potential to adversely impact on communities through ‘public nuisances’, which can arise from their operation. The Licensing Authority recognises the need to maintain and protect the living and working amenity and environment of residents and businesses in the vicinity of licensed premises. We also acknowledge the valuable cultural, social and economic role that such premises provide.

5.3.2 Applicants will be encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified, and will be implemented and maintained, to minimise, or prevent public nuisance in and around the immediate vicinity of their premises. These measures must be relevant to the individual style and characteristics of their premises and activities.

5.3.3 Whilst public nuisance is given a narrow interpretation in many pieces of legislation, it is not narrowly defined in the 2003 Act, and retains its broad common law meaning for the purposes of the Act. The prevention of public nuisance can therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It does not apply to a single individual.

5.3.4 When addressing this issue, applicants must demonstrate that those factors that impact on public nuisance have been considered.

5.3.5 These may include:-

- the location of the premises and, in particular the proximity to residential properties
- where the premises are to include open areas, eg pub gardens, the applicant will be encouraged to specify how they intend to minimise nuisance from such areas
• the number of people attending the premises
• the hours of operation and hours of opening if different
• the nature of the activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises
• the design and layout of the premises and in particular the presence of noise limiting features
• the potential for public nuisance arising from noise and vibration, light pollution, noxious smells, litter and general disturbance.

5.3.6 This list is not exclusive and each case will be judged on its own merits.

5.4 Children

General Principles

5.4.1 It is unlawful under the Act to permit unaccompanied children, under the age of 16, to be present on premises exclusively or primarily used for the supply of alcohol for consumption on those premises, under the authorisation of a premises licence, club premises certificate or a temporary event notice.

5.4.2 Whilst, the Licensing Authority wishes to see family-friendly premises thriving in the town, it is of the opinion that the protection of children from harm in licensed premises is an important issue. Consequently the risk of harm to children will be a paramount consideration when determining applications, including hot food takeaways.

5.4.3 Applicants should in their operating schedule set the appropriate steps they will take to ensure the proper protection of children. The applicant should carry out an assessment of any risk to children and volunteer appropriate conditions.

5.4.4 The Licensing Authority will pay particular attention to premises where representations have been received from responsible authorities, or any other person in respect of any of the following:-

• Where there have been convictions of members of the current staff or management at the premises for serving alcohol to minors, or with a reputation for underage drinking.
• With a known association with drug taking or dealing.
• Where there is a strong element of gambling on the premises (but not for example the simple presence of a small number of cash prize gaming machines).
• Where entertainment of an adult or sexual nature is commonly provided.
• Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of services provided at the premises.
• Where there is a known association with child exploitation, child abuse and or trafficking of children.

5.4.5 Where there is clear evidence of any of the above circumstances applying to particular premises, there will be a strong presumption by the Licensing Authority against permitting any access at all for children under 18 years.

5.4.6 The Licensing Authority will rarely impose complete bans on access to children, however in exceptional circumstances, conditions restricting access or excluding children completely may be considered necessary. Such a condition may become necessary following representations or after a review of a licence has taken place.

5.4.7 Requirements may include:

• Limitations on the hours when children, or children under certain age limits, may be present.
• Limitations on the parts of premises that children will be allowed to access.
• Limitations or exclusions when certain activities are taking place.
• Full exclusion of people under 18 from the premises when certain licensable activities are taking place.
• The need for accompanying adults at all or various times.
• The requirement for proof of age cards or other age identification to prevent the purchase of alcohol by minors.
• A safeguarding children policy.

5.4.8 Operators of premises where children are to be permitted access should employ or engage a sufficient number of people to secure the protection of children from harm. They should have in place safe recruitment policies and practices and should obtain enhanced checks with the Disclosure and Barring Service (DBS) (formerly the Criminal Records Bureau) for all staff working with children.

5.4.9 The Licensing Authority may, in appropriate circumstances, attach conditions to a licence in order to control entertainment specifically aimed at children or otherwise to ensure adequate supervision.

5.4.10 Where no licensing restriction on the admission of children is considered necessary, their admission will remain a matter for the discretion of the individual licence or certificate holder.
Preventing underage Sales

5.4.11 The Licensing Authority is committed to tackling the illegal sale of alcohol to children. It encourages licensees to implement an appropriate age verification scheme to reduce the likelihood of underage sales from their premises. Appropriate action will be taken, including the review of licenses, where sales persist.

5.4.12 Restricting access to alcohol for children under 18 has been a high priority in Warrington in order to protect children, to tackle alcohol harm and to reduce anti social behaviour. The Licensing Authority encourages licensees to have robust management arrangements in place to prevent staff making underage sales. Failure to maintain and regularly review such policies will affect the risk assessment score for the premises, which will be used to direct targeted interventions.

Proxy Sales

5.4.13 Appropriate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol, and shall ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage.

5.4.14 Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold to persons underage.

Events or Activities for Under 18s

5.4.15 Where entertainment is to be provided specifically for children, and it is likely that a child will be left in the care of a person employed by or contracted to the management of the premises for that purpose, or left in the care of a person using that premises for the provision of children’s entertainment, the Licensing Authority expects that enhanced checks with the Disclosure and Barring Service (DBS) are carried out for both the person providing the entertainment and those supervising the children. It may impose this requirement by way of condition, either through the review process, or in the event of the application being subject to representations.

5.4.16 The Licensing Authority also wishes to see appropriate separation of any event aimed at children from the sale of alcohol, and for the
event to take place at a time, and/or location, when children will not be exposed to inappropriate behaviour. The Licensing Authority wishes to see appropriate and reasonable steps taken to prevent adults, who appear to be seeking to groom or sexually exploit children, from entering or leaving the venue.

5.4.17 Licence holders, Designated Premises Supervisors and Personal Licence holders remain responsible for activities taking place on premises when promotions take place. In addition the Licensing Authority will encourage premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents, shall comply in all respects with all conditions. It is recommended that the premises look to produce and adopt their own policies and procedures for such events.

5.5 Health and Wellbeing

5.5.1 Despite the Government’s Alcohol Strategy 2012, setting out the intention to consult on the inclusion of a health related objective, there is currently no such objective within the Licensing Act 2003. However, Section 104 of the Police Reform and Social Responsibility Act 2011 amended the 2003 Act, with effect from April 2012, to make Primary Care Trusts or Local Health Boards responsible authorities.

5.5.2 The Licensing Authority formally recognises that that this applies to applications relating to premises licences or club premises certificates and closure notices (Section 165(4)) of the 2003 Act; and that health based representations, where relevant, maybe made with respect to the promotion of the four Licensing Objectives.

5.5.3 The Licensing Authority also acknowledges that Section 2.8 of the Amended Guidance, issued under section 182 of the Licensing Act 2003, with respect to the Public Safety Objective, states that the objective "concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation". However, this does not prevent relevant health bodies, as responsible authorities in their own right, from making relevant representations. It remains the responsibility of each responsible authority to determine whether they have appropriate grounds to make such a representation having regard to appropriate evidence and the circumstances of each case.
6 RELATIONSHIPS WITH RELATED POLICIES AND STRATEGIES

6.1 Introduction

6.1.1 When determining this policy the Licensing Authority has had full regard to other key strategies and policies to ensure that it is fully integrated with them.

6.1.2 The Licensing Authority encourages applicants to refer to these strategies and other documents, where appropriate, and to state in their operating schedules what steps they propose to take to promote the licensing objectives in respect of their individual premises.

6.1.3 Further information on related strategies is set out in appendix 4.

6.2 Duplication

6.2.1 The Licensing Authority will avoid duplication with other regulatory regimes, such as Fire Safety, Health and Safety, Environmental Health and disability discrimination, as far as possible, and will only attach conditions to licences where they are necessary to promote the licensing objectives.

6.2.2 The Local Authority will be mindful of the fact that general duties may not adequately address the unique circumstances that may arise at a given premise. Therefore where relevant representations are received, the Authority will consider attaching conditions, where they are considered to be necessary and proportionate for the promotion of the licensing objectives; and are not readily provided for in other legislation.

6.2.3 The Licensing Authority may wish to make representations on its own account, e.g. they could include bringing together a number of minor unconnected complaints that themselves do not require another responsible authority to make a representation, but when taken together may constitute a public nuisance, represent breaches of conditions, only observed by officers of the Licensing Authority, or which undermine one or more of the licensing objectives.

6.2.4 In cases where the Licensing Authority is acting as a responsible authority, there shall be a separation of responsibilities within the Authority to ensure procedural fairness and eliminate conflicts of interest.

6.2.5 Public Health is now also a responsible authority; making Public Health a responsible authority means that it is able to make representations to the local Licensing Authority regarding concerns about the impact of licensing applications on the local NHS (A&E departments and ambulance services) or more generally the safety of the public within the night-time economy.
6.3 Planning

6.3.1 The Licensing Authority will ensure that the planning, building control and licensing regimes are properly separated to avoid duplication and inefficiency. When, as a result of a planning permission, the terminal hours permitted for a premise are different from the licensing hours, the licence holder must observe the earlier closing time. Applications for premises licences for permanent commercial premises should normally be from businesses with Planning Consent for the property concerned.

6.3.2 Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the Local Planning Authority Committee or following appeals against decisions taken by that Committee. Similarly the granting by the Council’s Licensing Committee of any variation of a licence which involves a material alteration to a building will not relieve the applicant of the need to apply for planning permission or building control approval where appropriate. Applicants for licences are recommended to consult the local Planning Authority where applicable, to enable proper regard to be had to residential amenity.

6.4 Culture

6.4.1 Where possible the Licensing Authority will encourage and promote a wide range of entertainment, particularly live music, dancing and theatre. The Licensing Authority will balance carefully the potential for disturbance in a particular neighbourhood against the benefits for a wider area. Where possible, the Licensing Authority will try to avoid measures that might deter live music, dancing and theatre by imposing conditions, which would result in substantial indirect costs particularly for charitable, community or voluntary sector events or premises. Accordingly, many of our public open space areas are licensed to hold various events.

6.5 Equal opportunities

6.5.1 The Licensing Authority recognises that the Equalities Act 2010, places a legal obligation on the Council as a public authority to have due regard to the need to eliminate unlawful discrimination; and to promote equality of opportunity and that no one should be discriminated against or subject to less favourable treatment on the basis of the following characteristics: age; disability; ethnicity and race; gender; gender reassignment; marriage or civil partnership status; pregnancy or maternity status (including nursing mothers); religious or philosophical belief or non-belief and sexual orientation.

6.5.2 In carrying out its licensing functions, the Licensing Authority recognises its obligation to act compatibly with those Convention Rights incorporated into National Law by virtue of the Human Rights Act 1998.
7 SEXUAL ENTERTAINMENT

7.1 Nudity and Striptease

7.1.1 Not all establishments where there are displays of nudity will fall under the definition of “sexual entertainment venue”. Where they do potential applicants are directed to our Sexual Establishments Policy.

7.1.2 Applicants for premises licences or club premises certificates under the Licensing Act 2003 must state in the application form whether any adult entertainment will be provided, which may give rise to concern in respect of children. If such entertainment is to be provided, the Licensing Authority will encourage the applicant to have given particular consideration to the promotion of the licensing objectives, in relation to the protection of children from harm, and the prevention of crime and disorder.

7.1.3 Following amendments made by the Policing and Crime Act 2009 in respect of the licensing of lap dancing clubs or other premises providing similar sexual entertainment, Warrington Borough Council has adopted Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. This means that the Council can control and regulate the operation of certain kinds of sex establishment within its Borough. No sex establishment can operate unless it has obtained a licence from the Council – any such licence will contain conditions that will restrict how the premises trade. If a premises holds a Sexual Entertainment Venue Licence, and a Licensing Act 2003 licence and they have similar conditions attached to such licences, then the least onerous conditions will apply. However, there is an exemption under the Local Government (Miscellaneous Provisions) Act 1982, that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly. Premises that provide relevant entertainment that meets this exemption will continue to be regulated under the Licensing Act 2003 – either by Premises Licence, Club Premises Certificate or Temporary Event Notice.
8 APPLICATIONS

8.1 Introduction

8.1.1 The act affects anyone who is involved in or concerned with any of the following:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club
- The provision of late night refreshment – this being the supply of hot food and/or drinks from any premises between 11pm and 5am.
- The provision of regulated entertainment

The types of entertainment regulated by the Act are:

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling entertainment
- A contest, exhibition or display which combines boxing or wrestling with one or more martial arts (combined fighting sports)
- A performance of live music
- Broadcasting of recorded music
- A performance of dance
- Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance.

8.1.2 No licence is required for the following activities to the extent that they take place between 08:00-23:00 on any day:

- a performance of a play in the presence of any audience of no more than 500 people;
- an indoor sporting event in the presence of any audience of no more than 1,000 people;
- most performances of dance in the presence of any audience of no more than 500 people (exhibitions of dance of an adult nature are not de-regulated).

8.1.3 In respect of live music no licence is required where the live music:

- (a) unamplified or;
(b) amplified but for no more than 200 persons and;
(c) The music in both (a) and (b) above takes placed between 8am and 11pm on the same day.

- Takes place in a workplace which:
  
  (a) Is not already licensed for alcohol (Late night refreshment is ok)
  (b) The workplace is so defined in regulation (Health, Safety & Welfare) Regulations 1992
  (c) No more than 200 people are in the audience
  (d) The music takes place between 8am and 11pm on the same day.

- Takes place anywhere else and is:
  
  Unamplified and:
  The music takes place between 8am and 11pm on the same day.

8.1.4 Entertainment is only regulated where the entertainment takes place in the presence of an audience and is provided, at least partly, to entertain that audience.

8.1.5 Some activities may take place without a licence or other authorisation. These include:

- Incidental music (live or recorded)
- Entertainment at a place of public religious worship, or as part of religious service
- Private events, for example a party in a private house
- Garden fetes that are not for private gain
- Spontaneous singing and dancing
- Educational films or those that advertise products
- Films shown as part of an exhibition
- Morris dancing
- Service of hot food or drink to hotel or guesthouse resident
- Provision of hot food or drink by registered charities, such as ‘soup kitchens’
- Provision of entertainment on board moving vehicles
- TV and radio broadcasts

8.1.6 It is an offence to carry out any licensable activity otherwise than under and in accordance with an appropriate licence, and if convicted, offenders can be sentenced to a fine of up to £20,000, six months imprisonment or both.
8.1.7 This policy covers applications in respect of the following:
- Premises licence
- Personal licence
- Provisional statement
- Interim authority notice
- Club premises certificate
- Change of designated premises supervisor
- Permitted temporary activity

8.1.8 Together with associated applications for the variation, transfer, surrender, withdrawal and review of any of the above.

8.2 Determination of the application: General Principles

8.2.1 Applicants are strongly advised to have regard to this Policy Statement and other associated guidance and statute when submitting their application. Compliance with this policy is likely to assist the applicant in reducing the risk of refusal, the addition of unwanted conditions or an objection from a responsible authority or any other person.

8.2.2 It is also recommended that applicants consult the responsible authorities and any other persons prior to the submission of their application.

8.2.3 The Licensing Authority is impartial and as such all validly made applications will be considered on their individual merits. The Licensing Authority will ensure that there is appropriate separation of its responsibilities in terms of the administration of the application and the role of the Licensing Authority as a responsible authority in its own right.

8.2.4 The Licensing Authority cannot refuse to grant or vary a licence or certificate or impose conditions on a licence in the absence of any relevant representations. Without relevant representation the Licensing Authority is obliged to issue the licence on the terms sought.

8.2.5 If no responsible authority or any other person lodges a relevant representation to the application, the application must be granted as set out in the operating schedule, subject only to mandatory conditions set out under the Act. The steps proposed by the applicant will become conditions of the licence. The Council will have no discretion to refuse the application, or to alter or add to the conditions arising from the operating schedule.
8.2.6 We acknowledge the rights of any person or relevant authority to make a representation, an application or indeed to seek the review of a licence, or certificate where this is allowed under the Act.

8.2.7 A representation is only relevant where it relates to the likely effects of the grant of the licence on the promotion of at least one of the licensing objectives. A representation from any person must also not be vexatious, frivolous or repetitious for it to be considered.

8.2.8 The requirement that persons making objections to an application must live in the vicinity of the premises has now been removed. Members of the Licensing Authority can make representations to object to licence applications, or to call for a review on their own behalf, or on behalf of one of their constituents.

8.2.9 Where a relevant representation has been made, a hearing will normally be held by Licensing Sub-Committee.

8.3 The Operating Schedule

8.3.1 All new applications and variations should incorporate an ‘operating schedule’, which outlines how the premises will be operated. The Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects the licence holder to continue to manage their premises in accordance with their operating schedule.

8.3.2 The operating schedule must include all information necessary to enable the Licensing Authority, responsible authorities or other persons to assess whether the steps outlined for the promotion of the licensing objectives are satisfactory. This will mean that applicants will need to complete their own detailed risk assessments on their businesses. Regard will need to be given to the individual style and characteristics of the premises and the proposed business model. Where the operating schedule does not provide enough details, there is an increased likelihood that representations will be made, including by the Licensing Authority. Where these representations are relevant to the promotion of the licensing objectives, a hearing will follow, unless all parties agree that this is unnecessary. The Licensing Authority also reserves the right to refuse to accept an application which contains insufficient information to allow its reasonable consideration and subsequent determination.

8.3.3 Applicants must have regard to this licensing policy when preparing their operating schedules so that they are aware of the expectations of the Licensing Authority and of the other responsible authorities. Specific requirements to be met are detailed in this policy document. Other specific requirements are detailed in relevant legislation and in guidance documents.
8.3.4 Any proposed changes to the operating schedule must be notified to the Licensing Authority and depending on the nature of the changes proposed, the Licensing Authority may require a new premises licence application or the submission of an application to vary the existing licence.

**Key message:**

The Licensing Authority expects all applicants for the grant or variation of a premises licence, or club premises certificate, to demonstrate in their operating schedule that suitable and sufficient measures have been identified, and will be implemented and maintained, to promote the four licensing objectives on, and in, the immediate area of their premises. Failure to do so increases the likelihood of the application being refused due to lack of information, or for representations against the application to be made. Appropriate steps to promote the licensing objectives may be taken at any subsequent hearing.
8.4 Personal Licences

8.4.1 A “personal licence” is a licence granted by a licensing authority to an individual and which authorises that individual to supply alcohol or authorise the supply of alcohol in accordance with a premises licence.

An individual aged 18 years or over may apply to the relevant licensing authority for the grant of a personal licence at any time. Where an applicant is ordinarily resident in the area of a licensing authority, the application must be made to that authority, and in any other case the application may be made to any licensing authority.

8.4.2 An applicant will be entitled to the grant of a Personal Licence if they meet the following criteria:

a) They are aged 18 or over
b) They possess a licensing qualification accredited by the Secretary of State or are a person of a description prescribed by the Secretary of State
c) They have not had forfeited a Personal Licence within 5 years of their application
d) They have not been convicted of a relevant offence or any foreign offence*.

*Please see Appendix 6 for the meaning of the term ‘foreign offence’ and relevant offences.

8.4.3 A conviction for a relevant offence, or a foreign offence, will be disregarded if it is spent for the purposes of the Rehabilitation of Offenders Act 1974.

8.4.4 Applicants are required to produce to the Council, with their application, a current (no more than 1 month old at the date of application) Disclosure Barring Service (DBS) Certificate (formerly a Criminal Records Bureau Certificate), and make a declaration as to whether or not they have been convicted of a relevant offence, or an equivalent foreign offence. It is recommended that applicants contact the DBS for information on how a DBS certificate may be obtained.

8.4.5 The Council will reject the application if it appears that an applicant fails to meet the requirements of (a) (b) (c) or (d).

8.4.6 Where it appears to the Council that the applicant meets the requirements of (a), (b) & (c), but fails to meet the condition set out in (d), the Council will notify the Chief Officer of Police accordingly. If the Chief Officer of Police makes no objection within 14 days, from receipt of the notice, the Council will grant the application. In any other case (i.e. where the Chief Officer of Police considers that the
grant of the licence would undermine the crime prevention objective), the matter will be determined at a hearing before the Licensing Sub-Committee.

8.4.7 Applicants are strongly urged to take advantage of appropriate training courses which have been designed to support the licensing objectives. In addition to the National Certificate for Personal Licence Holders, further qualifications e.g. Drugs Awareness Certificate; the Barperson’s National Certificate and the Professional Barperson’s Certificate etc are also offered. The Families and Wellbeing Directorate can also offer support on child sexual exploitation.

8.4.8 Any person aged 18 or over who carries on or who proposes to carry on, a business which involves the use of the premises for licensable activities must apply to the Licensing Authority for a Premises Licence.

8.5 Premises Licences/Club Certificates

8.5.1 Where it is proposed that public access to the premises will be restricted and that alcohol will be sold other than for profit (premises traditionally known as ‘Registered Members’ Clubs’), the Act requires that a Club Premises Certificate be obtained.

8.5.2 The grant of a Club Premises Certificate will entitle the club to certain benefits e.g. there will be no need for an employee or member to hold a Personal Licence for the supply of alcohol to members/guests, nor will it be necessary to specify a designated premises supervisor.

8.5.3 The application process for a Club Premises Certificate is very similar to that for a Premises Licence, and references in this Policy to a Premises Licence, will also therefore include a Club Premises Certificate.

8.5.4 Club Premises Certificates will be issued to Qualifying Clubs formerly Registered Members Clubs. To be eligible for a Club Premises Certificate the club/organisation members must have joined together for a particular social, sporting or political purpose and then have combined to purchase alcohol in bulk as members of the organisation for supply to members and their guests. Qualifying conditions are specified in Section 61 of the Act and the licensing authority must be satisfied that these conditions have been met, including evidence to support that the club is non-profit making and that there is a minimum of 48 hours delay between application and acceptance of new members.

8.5.5 Where a Club intends to admit the general public to a regulated entertainment event then a Premises Licence or a Temporary Events Notice is required. Where alcohol is sold and there is a Premises Licence, then there will also be a requirement to obtain a
Personal Licence. Temporary Event Notices are subject to certain restrictions. Please refer to paragraph 8.7 for details.

8.5.6 An application for a Premises Licence must be accompanied by:

- The appropriate fee
- A plan of the premises to which the application relates
- An operating schedule
- *If the application involves the supply of alcohol, a form of consent signed by the person who is to be specified in the licence as the designated premises supervisor (this will normally be the person who has day to day responsibility for management of the premises).

*not required for applications for Club Premises Certificates

8.5.7 All applications for Premises Licences or variations need to be supported by an operating schedule. This schedule should specify the steps, which the applicant proposes to promote each of the licensing objectives.

8.5.8 Where there are relevant representations, the matter will be referred to the Licensing Sub-Committee.

8.5.9 In addition to a general description of the style and character of the business to be conducted on the premises (e.g. supermarket, cinema with 6 screens & a bar, public house with 2 bars, a dining area and garden open to the public), the applicant must include within the operating schedule details of the following matters:

- The relevant licensable activities to be conducted on the premises
- The times during which it is proposed that the relevant licensable activities are to take place (including the times during each day of the week, during particular holiday periods/special occasions and during particular seasons, if it is likely that the times would be different during different parts of the year)
- Any other times during which it is proposed that the premises are to be open to the public or to members of a club (these need not necessarily be the same times as those during which the licensable activities are to take place)
- Where the applicant proposes that the licence should be in effect for a limited period (e.g. for an open air festival), the relevant period sought
- Where the relevant licensable activities include the supply of alcohol, prescribed information in respect of the person who the applicant wishes to be specified in the licence as the designated premises supervisor
• Where the relevant licensable activities include the supply of alcohol, whether the supplies are proposed to be for consumption on or off the premises, or both

• Where the relevant licensable activities include performance of dance, applicants must state whether it is proposed that the dancing will involve striptease or lap-dancing

• Where the relevant licensable activities include music, the type of music (e.g. amplified, pre-recorded) and the setting in which it is to be provided

• *The steps which the applicant proposes to take to promote the Licensing Objectives.

*This list is not exhaustive and the Secretary of State may prescribe other matters.

8.6 Variations to premise licences

8.6.1 Where a premises licence holder wishes to amend the licence, the Act allows, in most cases, for an application to vary to be made rather than requiring an application for a new premises licence. The process will depend on the nature of the variation and its potential impact on the licensing objectives. Change of name or address of someone named in the licence, an application to vary the Designated Premises Supervisor or the transfer of the Premises Licence holder are not dealt with via the variation process, but by other more simplified processes.

8.6.2 There are two types of variation a minor variation and a full variation.

8.6.3 Minor variations will generally fall into four categories:

• minor changes to the structure or layout of the premises
• small adjustments to licensing hours
• removal of out of date, irrelevant or unenforceable conditions or addition of conditions volunteered by the applicant
• addition of certain licensable activities (except supply of alcohol) or removal of activities.

8.6.4 An application may not be made for a minor variation so as to:

• extend the licensable hours
• vary substantially the premises to which it relates
• add the sale by retail or supply of alcohol as an activity
• authorise:

(i) the sale by retail or supply of alcohol at any time between 11pm and 7am; or
(ii) an increase in the amount of time on any day during which alcohol may be sold by retail or supplied.
and are excluded from the minor variations process and must be treated as full variations. In all cases, the test will be whether the proposed variation could impact adversely on the licensing objectives.

8.6.5 Minor variations differ from any other Premises Licence application. The Licensing Authority must process and determine the application within 15 working days. Day one of the application is the first working day after the day the application is accepted.

8.6.6 An applicant can volunteer conditions as part of a minor variation, whether from their own risk assessment, or after informal discussions with the responsible authorities.

8.6.7 There is no requirement for the applicant to advertise the application in the local press.

8.6.8 The applicant must advertise the application on the premises on white A4 size paper for a period of ten working days.

8.6.9 There are no hearing provisions under the minor variation process.

8.6.10 Full variations – are generally applications that may impact on the licensing objectives.

8.6.11 The process for applying for a full variation is very similar to the process of applying for a new premises licence – the application must be copied to the responsible authorities and a notice must be placed on the premises and in the local press. Applicants will also be required to submit an operating schedule to address the additional steps required in relation to the variation.

8.7 Temporary Event Notices

General Principles

8.7.1 The Licensing Authority recognises that a Temporary Event Notice (TEN) allows applicants an element of flexibility and that the process is intended to be light touch. It is, however, important that applicants apply within the statutory timescales and that as much notice as possible is given. The Licensing Authority cannot exercise local discretion in this matter.

8.7.2 Applications for TENs at existing licensed premises, where the proposal is simply to extend the existing hours of operation, particularly within any cumulative impact area, will be subject to increased scrutiny and experience has shown that objections are likely to be received. It is strongly recommended that the premise licence holder seeks the views of responsible authorities at the earliest opportunity.
8.7.3 All licensees, or managers of licensed premises, applicants for premises licences and premises users intending to use Temporary Event Notices are advised to undertake a risk assessment, to ensure that the four licensing objectives are considered and addressed prior to any music event involving amplified music.

**Standard and Late TENs**

8.7.4 Temporary Event Notices (TENs). There are two types of TEN and each are subject to different processes:

- A Standard TEN: These must be given no later than 10 working days prior to the event to which it relates.
- Late TEN: These must be given not before 9 and not later than 5 working days prior to the event.

8.7.5 The Chief Officer of Police and the Local Authority exercising Environmental Health functions are empowered to object to TENs and have 3 working days beginning the day after the notice has been received to make an objection.

8.7.6 The grounds for an objection to a TEN must be that one or more of the licensing objectives would be undermined as a result of allowing the temporary event to proceed.

8.7.7 Following an objection notice from the Police or the Local Authority exercising Environmental Health functions, a hearing must be held by members of the Licensing Sub-Committee, unless all parties agree that a hearing can be dispensed with.

8.7.8 Members of the Licensing Sub-Committee have the following options available to them in determining any Temporary Event Notice:

- (a) Allow the licensable activities to go ahead as stated in the notice;

- (b) Issue a Counter Notice under Section 105(2) of “the Act” if members consider it necessary for the promotion of the Licensing Objectives to do so. The Temporary Event may not proceed if a Counter Notice is given;

- (c) Impose one or more existing premises licence conditions on the Temporary Events Notice if they consider it appropriate for the promotion of the Licensing Objectives to do so. The Temporary Event may proceed subject to the conditions attached to them.

8.7.9 Conditions may only be attached to a TEN where the premises already holds a premises licence or club premises certificate with the Licensing Authority. Conditions should normally only be attached
where a TEN is submitted to circumvent any existing condition already imposed on a premises.

8.7.10 If an objection is made to a Late TEN, the event will not go ahead and the Licensing Authority must give the premises user a counter notice at least 24 hours prior to the beginning of the TEN period. There is no facility for a hearing to be held by the Licensing Sub-Committee to determine the Late TEN, the requirement for the issue of the counter notice is statutorily automatic upon receipt of an objection notice.

8.7.11 Limits for TENs: A Personal Licence holder can have 50 Standard TENs and 10 Late TENs per calendar year. Others can have 5 Standard TE’s and 2 Late TENs per calendar year.

8.7.12 An individual must be aged 18 or over to give a TEN.

8.7.13 The number of days a premises can have the benefit of a TEN is 21 days.

8.7.14 The maximum period of a TEN is 168 hours (7 days).

8.7.15 The maximum number of TENs that can be made in respect of any one premises is 12 per calendar year.

8.7.16 The law states that for Standard TENs at least ten clear working days notice must be given to the Police, the Local Authority exercising Environmental Health functions and the Licensing Authority prior to the date of the event. The Licensing Authority recommends that at least 28 days notice be given to hold such events, to allow consideration of the application, and full guidance to be given to organisers to run their event in a proper manner, and to pass on any relevant local information.

8.7.17 There must be a minimum of 24 hours between events notified by the premises user in respect of the same premises. A notice will be treated as being given by the same ‘premises user’ if it is given by an associate of that person (which is defined by the Act as including spouses, relatives, agents and employees of the premises user).

8.7.18 The Council must give the premises user a counter-notice if the above limitations are not being observed.

8.7.19 It should be noted that for events concerning more than 499 people a Time Limited Premises Licence will be required.
8.7.20 The Police and the Local Authority exercising Environmental Health functions copies of the TEN should be forwarded to:

- Force Licensing Department, Cheshire Constabulary Headquarters, Clemonds Hey, Oakmere Road, Winsford, CW7 2UA
- Community Safety & Enforcement Section, New Town House, Buttermarket Street, Warrington WA1 2NH
9 SUSPENSION OF PREMISE LICENCE FOR NON-PAYMENT OF FEES

9.1 Introduction

9.1.1 Part 2 of the Police and Social Responsibility Act 2011, introduced changes to the Licensing Act 2003, requiring Licensing Authorities to suspend a Premises Licence, or Club Premises Certificate, if the annual fee is not paid when due. However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before, or at the time of the due date. In either of these cases, there is a grace period of 21 days. This period is intended to allow the Licensing Authority, and the licence or certificate holder, an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence will be suspended.

9.1.2 If the Licensing Authority intends to suspend a licence or certificate, it will notify the holder in writing and specify the date on which the suspension will take effect; this date will be 14 days after the day the Authority gives notice.

9.1.3 A suspension ceases to have effect on the day on which the Licensing Authority receives payment of the outstanding fee.
10 PREMISE MANAGEMENT

10.1 Governing principles

10.1.1 The Licensing Authority seeks to promote mixed use premises, which promote the responsible retail of alcohol and non alcoholic drinks, alongside appropriate entertainment and food. Applications for premises providing a seated environment for customers are encouraged. Applications for premises whose predominant offer is vertical drinking are not encouraged but if made, the operating schedule should demonstrate robust arrangements for promoting the licensing objectives. The Licensing Authority recommends that on-sales premises, as a minimum, look to consider the following with their operating schedule:-

- Increase seating and reduce the space dedicated for vertical drinking
- Reduce the volume of music as part of the creation of an environment that seeks to promote the responsible consumption of alcohol
- Actively promote designated driver schemes
- Make food available.

10.1.2 Warrington already has a large number of licensed premises operating in a densely populated area within the town centre. Experience has shown that the design and offer within premises can have a strong influence on levels of drinking and behaviour. We wish to close the gap between the day-time and night-time economy and to broaden the appeal of the town centre.

10.1.3 The Licensing Authority encourages licensees to operate to the highest standards of management, and to co-operate with responsible authorities, to prevent:

- The sale of alcohol to underage children
- Drunkenness on premises
- Irresponsible drinks promotions
- The use of licensed premises to groom/sexually exploit children.

10.1.4 Where the Licensing Authority receives representations from responsible authorities that the management of a premise is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or antisocial behaviour, the Licensing Authority will consider reviewing the licence to impose additional restrictions and controls to prevent or minimise, the impact.
10.1.5 Licensing enforcement is a strong, multi-agency activity and it is important that this work is co-ordinated between agencies to deliver sustainable solutions. The need for intervention will be risk-based and take full account of data, intelligence and information available to both the Council and responsible authorities.

10.1.6 Where appropriate the Licensing Authority will consider imposing controls on products sold where representations indicate localised problems. This provision could include prohibiting the sale of super strength beer, larger and cider, in premises as part of a package of measures to deal with problems associated with street drinking.

10.2 Risk Assessments

10.2.1 The Licensing Authority encourages premises to produce and maintain appropriate general and technical risk assessments, management procedures and other documentation. This should be made available to the relevant responsible authority, and to the Licensing Authority upon request, in order to demonstrate that the public will be safe within and in the vicinity of the premises. It is advisable to include clearly defined responsibilities and procedures for medical and other emergencies, and for calling the emergency services.

10.3 Rewarding compliance, tackling poor performance

10.3.1 The licensing Authority recognises that many licensees work hard to promote safe and attractive venues. We have, therefore, introduced the ArcAngel scheme.

What is ArcAngel?

10.3.2 ArcAngel is a group of organisations working together across Cheshire, Halton and Warrington to tackle alcohol-related crime and disorder, underage drinking and alcohol-related incidents.

What We Want to Achieve

10.3.3 We want our towns to be safe and welcoming places for people to visit and enjoy. Evidence shows alcohol misuse is often a factor in violent crime, child abuse and antisocial behaviour. Rowdy and drunken behaviour, or the perception that such problems exist, can also deter people from visiting our towns during the early evening.

10.3.4 ArcAngel aims to:-

- Reduce crime and antisocial behaviour and to improve health by encouraging responsible drinking, discourage binge drinking and drinking in public.
• To reward venues that adopt good practice and to challenge others to follow their lead.
• To work together to target hotspot locations and prolific and persistent offenders of alcohol related violent crime and disorder.
• To help reduce the number of incidents of alcohol related serious woundings, common assaults and Accident and Emergency admissions.
• To improve the care and support for victims and witnesses of alcohol related violent crime.
• To help people feel safer during a night out and to address negative perceptions.
• To raise public awareness of the issue of alcohol related violence and disorder and the penalties that will be imposed against offenders.
• To reduce the availability of alcohol to underage drinkers, to educate young adults and to reduce the risk rating of licensed premises.
• To encourage families and mixed age groups to enjoy the early evening and late night economy.

10.3.5 Where there is an absence of adequate management procedures, and/or a history of non-compliance, the Licensing Authority is likely to take this into account when determining what steps to take at a hearing. Subject to any changes in legislation, the Licensing Authority reserves the right to use the risk rating in setting of any local fees and charges, or in response to media enquiries.

Pubwatch

10.3.6 The borough-wide Pubwatch network encourages licensees to work together to promote the licensing objectives in their premises by providing a forum for sharing information, disseminating best practice and meeting with representatives of the Licensing Authority, the Police and other responsible authorities, where they are invited to attend.

10.3.7 The Licensing Authority recognises the independent role of the Pubwatch scheme; however we would encourage all licensees to actively participate in their local scheme. The Licensing Authority considers that active attendance helps to promote the licensing objectives, and as such this will influence the overall ArcAngel risk rating.
10.4 Framework of Hours

10.4.1 The current staggered closing times of licensed premises has developed since 2005. There is evidence to show that the later opening hours have brought increased levels of crime, disorder and potential for nuisance (see the Cumulative Impact evidence).

10.4.2 Having considered the evidence of alcohol related crime, disorder and antisocial behaviour, and the number of late night premises, the Licensing Authority has adopted a framework of recommended opening and closing times for each area.

10.4.3 A framework of recommended hours has been developed following consultation with responsible authorities and having regard to available evidence, which shows that longer operating hours are associated with an increased risk of crime and disorder. The recommended are contained within appendix 3.

10.4.4 The hours are not predetermined and each application will still be considered on its relative merits. Applicants are strongly recommended to set out in their operating schedule how they will actively promote the licensing objectives, having regard to, amongst other issues, the intended hours of operation.

10.4.5 Experience has shown that it is likely that relevant representations will be received where there is insufficient detail in the operating schedule, or where the application is intended solely to extend the hours of operation, including temporary event notices.

10.4.6 The Licensing Authority wishes all existing licensed premises holders to consider their existing business model and to seek opportunities to contribute to a vibrant night-time economy, which moves away from high volume, vertical sales of cheap alcohol.

10.4.7 We equally recognise that it is important that each case is determined on its relative merits, and there will be no presumption that applications within the proposed framework of hours will be granted. If no representations are received the application will be granted by the Licensing Authority under delegated powers.

10.4.8 Applicants are asked to ensure, where possible, that their hours are consistent with those permitted under their planning permission and that the opening hours allow for a suitable dispersal policy.


Key Message:

Each application will be considered on its relative merits and the recommended hours are not pre-determined. However we would advise all potential applicants to be mindful of the recommended framework of hours, when submitting applications, and the need for early consultation with responsible authorities. Sufficient detail should be provided within the operating schedule.

The Council, outside of its remit as the Licensing Authority, will work with any business who wishes to develop a sustainable business model that is not solely based on the late-night supply of cheap alcohol, in a vertical drinking environment.

10.5 Designated Premises Supervisor

10.5.1 Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made, or authorised, by a person who holds a personal licence (or must be made, or authorised, by the management committee in the case of community premises).

10.5.2 The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises.

10.5.3 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. It is incumbent on the DPS to demonstrate what controls are in place to govern the sale of alcohol, we would recommend that they are present for a minimum of 50% of the time when the premises are operating, and that an appropriate scheme of delegation and management control is in place at all other times.

10.5.4 The premises licence holder will be encouraged to ensure that the DPS has experience commensurate to the size, capacity, nature and style of the premises and licensable activities to be provided.

10.5.5 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place. There should be an appropriate number of responsible, trained persons at the premises to ensure the proper
management of the premises. They should be familiar with the terms and conditions of the premises licence, and other policies or procedures associated with any statutory requirement.

10.6 Door Supervisors

10.6.1 The Licensing Authority recognises that door supervisors need to be used in a proportionate way, which is commensurate to the style and character of the premises and the surrounding area. The Licensing Authority recognises that suitably trained and qualified door supervisors can play an invaluable role in reducing the likelihood of antisocial behaviour and crime and disorder. However, we equally recognise that their indiscriminate use could detract from the broader appeal of an area. The advice of Cheshire Constabulary should be routinely sought.

10.6.2 Premises licence holders and DPSs should ensure that their premises do not increase the fear of crime in their locality. To this end they should ensure, so far as is possible, that customers do not cause nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Door supervisors have an important role in managing customers, not only on the doors but also in the immediate area of their premises.

10.7 OFF-SALES (Off-Licences)

10.7.1 There has been a trend towards more alcohol being purchased from shops and consumed at home. There is also concern about the growing practice of “pre-loading” before going out to licensed establishments.

10.7.2 The Council is committed to actively working with the licensed trade to raise standards and to ensure that the necessary procedures are in place. However, we recognise that poorly run off-sales establishments can provide vulnerable people with access to cheap, strong drinks without any supervision of how the alcohol is consumed and by whom.

10.7.3 Applications for an off-licence within a Cumulative Impact Area will need to demonstrate, within their operating schedule, why they will not add to the existing cumulative impact, and why there will be no negative impact on one or more of the licensing objectives. See section 16.

10.7.4 The Licensing Authority encourages all operators to set out in their operating schedule how the premises will comply with the mandatory condition on banning the sale of alcohol below duty plus VAT. All applicants are also strongly encouraged to set out, in more detail, how they will reduce the impact of alcohol harm, and crime.
and disorder, through the **responsible** retail of alcohol. Applicants are advised to consider the role of voluntary agreements, control of the sale of super strength lagers, beers and ciders, as part of their corporate responsibility statement.

10.7.5 The impact of licensed hours is clearly a matter for the Licensing Authority in the event of a review of the licence and applicants are strongly advised to consider the impact of their operating hours on the community and the overall accessibility of alcohol by vulnerable people. This is particularly the case for premises selling alcohol before 9.00am and after 10.00pm.

10.7.6 We will also look to work with partners to build a credible evidence base to identify areas where the sale of alcohol is inconsistent with the promotion of the licensing objectives, due either to: - crime and disorder, the protection of children from harm (underage/proxy sales), or where there is evidence of likely alcohol harm, such as hospital admissions, referrals and/or ambulance data.

10.7.7 Where there is evidence to do so, and following the receipt of an appropriate representation(s), a hearing will be held to consider any application, unless agreement can be reached, where concerns are raised about either the operation of an existing premise, or the additional impact of a new premises licence for alcohol sales.

**Key message:**

The Licensing Authority expects all applicants for the grant or variation of a premises licence for off-sales to demonstrate in their operating schedule that suitable and sufficient measures have been identified, and that these will be implemented and maintained, in order to promote the four licensing objectives, on and in the immediate area, of their premises.

Potential applicants are advised to consult with responsible authorities as to whether a representation is likely to be received for any variation to an existing licence or application for a new premises licence.

10.8 **Layout and Operation of Premises**

10.8.1 In most cases, the applicant will be able to address the potential problems and any detriment to the licensing objectives, through the layout and the operation of the premises. The Applicant should set out the steps which it is proposing to take to promote the licensing objectives in the operating schedule.

10.8.2 It is for the Applicant to determine what steps should be taken. It is also the case that the appropriate steps will differ according to the size and nature of the premises; what might be appropriate for a large supermarket may not be appropriate for a small local shop.
Subject to those qualifications, suggested steps are set out in table 1.

**Table 1 Suggested steps for the promotion of the Licensing Objectives.**

<table>
<thead>
<tr>
<th>Steps</th>
<th>Operating Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security / CCTV</td>
<td>The Applicant should identify in the operating schedule what systems of security, supervision by staff, and/or CCTV will be in place to promote the licensing objectives.</td>
</tr>
<tr>
<td>Display Area</td>
<td>The Applicant may identify in the operating schedule a fixed specified area in which alcohol will be displayed. If so, a plan should be attached to the operating schedule identifying that area. If the applicant wants to be able to move the fixed specified area, the operating schedule should specify the parameters for any changes. If the Applicant wishes to provide additional displays for special occasions (e.g. Christmas/New Year (1 November to 31 January), Easter (3 weeks before Easter Monday to 1 week after), the operating schedule should identify the special occasions and the nature of the likely changes.</td>
</tr>
<tr>
<td>In the Licensing Authority’s opinion:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Displays should not be located at the entrance/exit points of the premises</td>
</tr>
<tr>
<td></td>
<td>• Displays should not be located in aisles which interfere with customer flow</td>
</tr>
<tr>
<td></td>
<td>• Displays should not be located at or near check-outs.</td>
</tr>
<tr>
<td>Segregated Areas for the Display and Sale of Alcohol</td>
<td>The Applicant may identify in the operating schedule a fixed segregated area of the premises in which alcohol will be displayed and/or sold. If so, a plan should be attached to the operating schedule identifying that area.</td>
</tr>
<tr>
<td>Sales over the Counter/No Self-Service.</td>
<td>If the Applicant intends that all displays of alcohol will be behind a counter, that there will be no self-service and all sales will be conducted by staff and alcohol handed to customers by staff, the Applicant should identify how the system will operate in the operating schedule. A plan should be attached to the operating schedule identifying the particular parts of the premises that will be</td>
</tr>
</tbody>
</table>
Responsible retailing of alcohol

The following responsible management practices are recommended:-

- Cans of alcohol should not be sold separately
- Bottles of beer under 1 litre should not be sold singly
- No beer or cider over 5.5% ABV should be sold
- No alcopops should be sold where they could attract under age purchasers.

10.9 Takeaway food premises

10.9.1 The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).

10.9.2 It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late-night venues congregate there. Applicants are recommended to have written policies for dealing with disorder and nuisance. In determining licensing hours following the receipt of relevant representations, regard will be given to the above factors and the density and closing times of other licensed premises in the vicinity.

10.9.3 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere are expected to consider the potential for litter near their premises, and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

10.9.4 Where the Licensing Authority considers it appropriate and necessary, it may impose conditions on a premises licence to require the operators of premises serving customers, with hot food or drink, to provide litter bins in the vicinity of the premises, in order to prevent the accumulation of litter from its customers. It may
require the proprietor to service those litter bins as part of their own waste management arrangements.

10.10 Smoking, drinking and eating outside

10.10.1 The provision of outside areas can enhance the attractiveness of the venue and provide a broader appeal. However, the irresponsible use of such areas, particularly after 10.00pm can cause public nuisance and potentially act as a focus for crime and disorder.

10.10.2 Where smoking, eating and drinking takes place outside, the Licensing Authority encourages applicants to provide comprehensive details in their operating schedule on:

- The location of outside areas to be available for use
- How the outside areas will be managed to prevent:
  - Noise
  - Smell
  - Pavement obstructions
  - Crime and disorder.

10.10.3 Where the Licensing Authority receives representations, or a review application, regarding the use of an outside area, it may impose appropriate restrictions, or conditions, having regard to the circumstances of the case.

10.10.4 Specific guidance for the operation of pavement cafes is available on the council’s website, or on request from the Licensing Authority.

10.11 Use of toughened Glass and polycarbonates

10.11.1 The Council recognises the wishes of clientele to drink from an appropriate receptacle; however we equally recognise the need to promote the licensing objectives and to safeguard the safety of patrons.

10.11.2 The Licensing Authority wishes to encourage the use of toughened glassware and polycarbonate on a risk based approach.

10.11.3 The Licensing Authority, where a relevant representation is received, will consider imposing a condition prohibiting the sale of alcohol in strengthened glass containers (glasses and bottles) and require the use of polycarbonate or other safer alternatives where:

- Local needs dictate
- The premises is operating beyond midnight
- The licence permits drinking outside
• Suitable alternatives are commercially available.

10.11.4 The Licensing Authority will take into account the following when considering imposing conditions restricting the use of glass:

• The type of venue and the customer base
• The hours of operation
• The standard of management
• The history of any alcohol related crime and disorder
• The extent to which drinking is permitted outside
• The adequacy of the premises own risk assessment
• The views of Cheshire Constabulary.

10.12 Drugs Policy

10.12.1 The Licensing Authority is committed to ensuring that, where appropriate, the design and management of premises maximises the safety of customers, performers and staff. The Licensing Authority will normally expect the submission of a drug policy as part of the operating schedule for applications for new premises licences, and for variations to existing licences for late night venues.

10.12.2 The Licensing Authority requires licensees of all venues to take all reasonable steps to:

• Prevent the entry of drugs into licensed premises
• Prevent drugs changing hands within the premises
• Understand the signs of drug misuse in people so that practical steps can be taken to deal with any instances that occur
• Have appropriately trained staff to deal with drug related incidents.

10.12.3 The increasing prominence and dangers that can occur from "legal highs is recognised and the Licensing Authority would encourage all venues to include suitable steps within their Drugs Policy to deal with legal highs.

10.13 Noise

10.13.1 The Licensing Authority is committed to broadening the appeal of licensed premises, and in particular its commercial centres, to create an appropriate sense of place. We equally recognise the need to protect the amenity of residents and businesses in the vicinity of licensed premises, particularly when late hours are sought.

10.13.2 We would encourage premises to proactively consider noise management within the design and operation of their premises, and to state within their operating schedule how they will control noise
levels. Where relevant representations are received, the Licensing Authority may impose appropriate restrictions or controls on the licence to promote the licensing objective on public nuisance, and to protect the amenity of local residents.

10.13.3 The Live Music Act now exempts live music from being a licensable activity in some circumstances. These activities may still give rise to nuisance and it is expected that licensees will act promptly if this happens, to avoid the need for action by the local authority under the statutory nuisance provisions.

Deliveries and collections

10.13.4 Licence holders and applicants are encouraged to consider whether early morning deliveries, and collections to their premises, could potentially result in a public nuisance, and to introduce measures to minimise the impact. The Licensing Authority recognises that refuse collection times can sometimes be outside the control of the premises licence holder. When representations have been received from residents, stating that they are being disturbed by early morning collections and deliveries, the applicant or premises licence holder is encouraged, whenever possible, to renegotiate different times with the relevant contractor.

10.14 Dispersal policies

10.14.1 The Licensing Authority will normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minutes, after the end of the time permitted for licensable activities. An application for a new late-night premises licence or variation application, will not normally be granted, unless a proposed dispersal policy is included in the operating schedule.

10.14.2 The general principle will be that licensable activities at premises should cease before the end of the operational hours. This is to allow for the premises to be cleared of patrons in a gradual and orderly manner. The Licensing Authority recognises that the time required for clearing premises of patrons will differ from business to business, depending on the type of licensable activities provided, and the nature of the clientele. It is for applicants themselves to judge what time scale is reasonable, however the Licensing Authority recommends that between 30 minutes and one hour would be sufficient for the majority of businesses. Operating schedules should make reference to a specific dispersal policy that should set out the dispersal arrangements, such as:

- Management of the ambient lighting
- Management of music levels and tone
• Balancing the sales of alcoholic drinks and the availability of non-alcoholic beverages
• Arrangements for accessing transport for customers.

10.15 Illicit goods

10.15.1 The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found, this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives.

10.15.2 The Licensing Authority’s approach, which is consistent with the Guidance issued by the Home Office and DCMS, is that the supply of illicit goods will be taken seriously as these matters undermine the licensing objectives. Licensees supplying illicit goods can expect the Licensing Authority to impose additional controls and sanctions and run the risk of losing their licence.
11 CONDITIONS

11.1 Introduction

11.1.1 The Licensing Authority will only routinely attach to a licence the statutory mandatory conditions, together with conditions drawn from the applicant’s operating schedule (since these are voluntary conditions). If relevant representations are received then any agreed conditions or conditions impose through the hearing process will also be imposed. The Licensing Authority will use the pool of conditions published by the Secretary of State and other conditions which are necessary and proportionate to the application for attachment to the licence in order to promote the licensing objectives.

11.1.2 The pool of model conditions contained in Annex D of the Secretary of State guidance should be consulted when making applications. The Licensing Authority will use the pool to select appropriate conditions to suit the specific needs of an individual operation. Any conditions not listed in the pool may be specifically worded by the Licensing Authority and attached to licences as appropriate.

11.1.3 The Licensing Authority as guided by the Secretary of State will not impose blanket standard conditions.

11.1.4 Conditions will be imposed on licences in pursuit of the licensing objectives. However, they will only be used where they relate to matters that are in the direct control of the licensees and any other premise with relevant authorisation.

11.1.5 The Licensing Authority will have regard to the impact of the activity taking place at the licensed premise on members of the public who live, work or are engaged in normal activity in the area concerned. In cases of dispute the question will ultimately be considered by the courts.
12 ENFORCEMENT

12.1 Introduction

12.1.1 The Licensing Authority has adopted the Government’s Enforcement Concordat. The Licensing Authority is committed to the principles of good enforcement practice and will carry out its regulatory functions in a fair, open and consistent manner. The service also has its own Enforcement Policy.

12.1.2 Risk Assessment principles will be applied when determining inspection schedules, so that inspections take place only as and when necessary. This will enable resources to be concentrated on agreed problem premises and high risk premises which need greater enforcement attention, providing a lighter touch in respect of lower risk premises which are deemed to be well run.

12.1.3 The Licensing Authority recognises the interests of both citizens and businesses and will work closely with partners, to assist licence holders to comply with the law and the four licensing objectives. However, proportionate but firm action will be taken against those who commit serious offences or consistently break the law. The Council has set clear standards of service and performance that the public and businesses can expect.
13 HEARINGS

13.1 Introduction

13.1.1 Where there have been relevant representations, the Licensing Authority will always consider the merits of the case having regard to the evidence before it, the policy statement and licensing objectives.

13.1.2 The Sub-Committee will take such steps, as it considers necessary to promote the licensing objectives. These may include refusing the application or adding or modifying the conditions proposed in the operating schedule.

13.1.3 The operating schedule will only be amended to the extent necessary to promote the licensing objectives. Blanket or standard conditions will not be applied without regard to the merits of the individual case. The Council will not interfere with an operating schedule, which does not comply with this Policy, where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.

13.1.4 A public announcement of the decision will be made at the end of the hearing and a written copy of the decision will be provided to all parties to the hearing. The decision will be accompanied with clear reasons for the decision, having regard to the Human Rights Act 1998, the licensing objectives and all other relevant legislation.
14 REVIEWS

14.1 Introduction

14.1.1 Following the grant of a Premises Licence or Club Premises Certificate, a responsible authority or any other person (and member in the case of a qualifying club) may request the Licensing Authority to review the Premises Licence/Club Premises Certificate where problems associated with any of the licensing objectives have occurred.

14.1.2 In all cases, the application for review must relate to a particular premises for which a Premises Licence/Club Premises Certificate is in force and must be relevant to the promotion of one or more of the licensing objectives.

14.1.3 The Licensing Authority will seek to prevent attempts to review Premises Licences/Club Premises Certificates that have already been considered following the failure of representations on previous occasions. Each application will therefore be examined in the context of previous applications and decisions.

14.1.4 Requests for reviews will be rejected where, in the view of the Licensing Authority, the request is not relevant (to the licensing objectives), or in the case of requests from any other persons, it is frivolous, vexatious or repetitious.

14.1.5 The Licensing Authority recognises that the promotion of the licensing objectives requires a partnership approach. The Licensing Authority considers that responsible authorities and any other persons will give Premises Licence/Club Premises Certificate holders sufficient warning of their concerns regarding any problems identified at the premises and the need for improvement. The Licensing Authority therefore expects Premises Licence/Club Premises Certificate holders to respond to such warnings and implement the necessary remedial action. Any failure to respond to such warning may lead to a Responsible Authority or any other person requesting a review of the Premises Licence/Club Premises Certificate. However, where the matter is sufficiently serious for a responsible authority to take immediate action, this must be carried out under their lawful powers, and notification of such action communicated to the Licensing Authority at the earliest possible time.

14.1.6 The Licensing Authority will take action, in cases where the crime prevention objective is being undermined. This may result in revocation of the licence, even in the first instance; as guided by the Home Office Guidance.
15 CINEMAS

15.1 Films

15.1.1 The Licensing Authority expects licence and certificate holders and those who have given notice of a temporary event and who wish to show any film classified by the BBFC as R18 (or which would otherwise fall within that category) and in doing so satisfy the definition of a sex cinema as set out in the Local Government (Miscellaneous Provisions) Act 1982, to also have a sex cinema licence issued under the provisions of the 1982 Act.

15.1.2 The Licensing Authority will adopt the BBFC (British Board of Film Classification) for films that are shown and will expect age restrictions on those present to be consistent with the recommendations of the BBFC. The Licensing Authority will not normally apply its own system of classification. However, provided the operator submits the film for classification at least 28 days before the proposed date of showing, the Licensing Authority may classify a film:

- that has no BBFC classification; or
- that has a BBFC classification, but the operator has requested the Licensing Authority to consider reclassification and the Licensing Authority agrees to do so; or
- where there have been relevant representations from a responsible authority or any other persons with an interest in the protection of children from harm.

15.1.3 The Licensing Authority will have regard to the BBFC classification system, the BBC code for producers and the Ofcom/Broadcasting Standards Commission Broadcasting Code when making any decision on the classification of films. Applicants and licence holders should note that a classification made by the Licensing Authority will have precedence over any other classification.

15.1.4 In considering the impact of licensing on children, the Licensing Authority will consult with who it sees as being competent to advise on matters relating to the protection of children.
16 CUMULATIVE IMPACT AND SPECIAL POLICIES

16.1 Introduction

16.1.1 The Licensing Authority will not take ‘need’ (i.e. commercial demand) into account when considering an application, as this is a matter for the market. However, the number, type and density of licensed premises, in a given area, are proper matters for consideration by the Licensing Authority, if there is a potential impact on the licensing objectives.

16.1.2 The effect of adopting a special policy is to create a rebuttable presumption, that applications for the grant or variation of a licence or club certificate, which are likely to add to the existing cumulative impact, will normally be refused or subject to certain limitations, following relevant representations.

16.1.3 It is for the applicant to consider, within their operating schedule, the potential cumulative impact and to demonstrate that there will be no negative cumulative impact on one or more or the licensing objectives.

16.1.4 The Licensing Authority recognises that a special policy is not absolute, and any application will still need to be considered on its relative merits. Consideration will be given to the content of the applicant’s operating schedule, the continuing relevance of the evidence in support of the Cumulative Impact Policy (CIP), relevant representations and whether the impositions of appropriate conditions would be effective in preventing problems.

16.2 Legislative framework

16.2.1 Warrington Borough Council as the Licensing Authority has a duty to comply with its obligations under Section 17 of the Crime & Disorder Act 1998 in respect of crime & disorder and to promote the four licensing objectives of the Licensing Act 2003 namely:

- The prevention of crime and disorder
- Public safety
- Prevention of nuisance
- Protection of children from harm

16.2.2 The Council will also pay due regard to the Guidance issued under Section 182 of the Licensing Act 2003.
16.3 Reasons for the Cumulative Impact Policy

Rationale

16.3.1 The Licensing Authority is mindful that large numbers of licensed premises, in close proximity to each other, can have a negative impact on the licensing objectives, particularly if they are targeted towards high volume sales of cheap alcohol, within a vertical drinking environment. This can result in crime and disorder within a wider area than that associated with any one premise.

16.3.2 The cumulative impact of people dispersing from an area can also disturb nearby residents. The availability of hot food takeaways can also create flash points, and delay people from dispersing quickly from the area. The ready availability of numerous fast food establishments can also result in excessive littering, both within the immediate area and within surrounding residential areas, as food is consumed and the packaging later discarded on route.

16.3.3 The Licensing Authority is mindful of the need to safeguard users of the late-night economy, in relation to crime and disorder but also from alcohol harm. It recognises its responsibilities to protect children from harm and to promote public safety. The concentration of licensed premises, which are based solely around the consumption of alcohol can increase the vulnerability of people and result in alcohol harm.

16.3.4 The Licensing Authority recognises that the impact of longer hours can be a factor as well as the density of the premises, and this issue will be given material consideration in any decision.

16.3.5 The Licensing Authority is satisfied that there is an appropriate evidence base to support the need for a CIP and that other mechanisms do not in themselves adequately address the issues identified in the evidence base.

What is covered by the CIP?

16.3.6 For the sake of clarity the CIP will apply to applications for:-

- Any new application or variation of a premises licence
- Any application for a temporary event notice (NEEDS LEGAL OPINION)
- Any application or variation for late night refreshment, e.g. hot food takeaways.
Evidence

16.3.7 The Licensing Authority, in determining the need for a CIP, in order to promote the licensing objectives, has had regard to the following information:-

- Crime and disorder statistics
- Statistics on antisocial behaviour
- Health related statistics
- Concerns expressed by street services regarding littering and the views of local ward councillors and residents
- The results of a survey of local residents
- Consultation responses
- A review of other mechanisms for controlling the cumulative impact.

16.3.8 The evidence base, which supports the cumulative impact area, is available on request.

16.4 Areas covered by the Cumulative Impact Policy

16.4.1 The Council will apply a special policy relating to cumulative impact as provided for by the guidance issued by the Secretary of State.

16.4.2 Following consultation the area to which it is proposed this policy will apply has been determined as the areas indicated and identified in Appendix 7.

16.4.3 The Bridge street area has been identified as there is demonstrable evidence that the density of late night, drink orientated premises is impacting on the promotion of the licensing objectives, particularly with respect to crime, disorder. The views of local residents have been sought, in accordance with the statutory guidance, and CIPs in the Cultural Quarter and Stockton Heath are also proposed on the basis of the evidence gathered from these surveys.

16.4.4 The evidence for this special policy may be viewed on request at the Council Offices

Regulatory Services
New Town House
Buttermarket Street
Warrington
WA1 2NH
16.5 Implications on Applications and Variations

16.5.1 The effect of adopting this special cumulative impact policy will be to create a rebuttable presumption that applications within the defined areas for licences, club premises certificates or material variations will normally be refused, if relevant representations are received, unless it can be demonstrated that the operator of the premises involved will not add to cumulative impact already being experienced.

16.5.2 Persons with applications within these areas will need to address the special policy issues in their operating schedules in order to rebut such a presumption.

16.5.3 The presumption against grant does not relieve responsible authorities or any other persons of the need to make relevant objections or representations. If no relevant objections or representations are received, it would remain the case that any application must be granted in terms that are consistent with the operating schedule submitted. However, responsible authorities or any other persons can make written representations maintaining that it is necessary to refuse the application for the promotion of the crime and disorder objective; in doing so they may wish to refer to the information which had been before the Council when it developed its statement of licensing policy, although the continuing relevance of this information needs to be kept under review, and any representation should be supported by appropriate evidence.

16.5.4 The Licensing Authority will not use this policy solely as:

- Grounds for revoking a licence or certificate when representations are received about problems with existing licensed premises.

- To refuse an application to vary an existing licence or certificate except where the modifications are directly relevant to the policy.

16.5.5 The Licensing Authority recognises that there are other mechanisms both within and outside the licensing regime that are available for addressing the impact of unlawful and antisocial behaviour and nuisance once consumers are away from the premises.

16.6 Areas outside of the policy

16.6.1 The absence of a special policy in relation to any other areas of the borough does not prevent any responsible authority, or other person, making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a
negative cumulative impact on one or more of the licensing objectives.

16.7 Review

16.7.1 The Licensing Authority will regularly review its special policy to see whether it is still needed or should be expanded.

16.7.2 It is important to note that this policy does not seek to prevent all new or varied licence applications. All applications will be considered on their own merit whilst taking into account the aims and objectives of this policy.

16.8 Conclusion

16.8.1 Research shows that where there is a concentration of licensed premises there will be the most potential for violence and disorder. This may be exacerbated by hot food takeaways situated in the same area, which may prolong the time it takes for crowds to disperse, when licensed premises close at the end of an evening. Special consideration will therefore also be given to applications for take away premises.
17 REVIEW OF THE POLICY

17.1 Introduction

17.1.1 The Licensing Policy must be reviewed and published every five years (section 5 Licensing Act 2003). This review of the policy must be subject to consultation. In addition section 5(4) of the Act provides that the Licensing Authority must keep its policy under review during each five-year period and make appropriate revisions. Again, any revisions must be subject to consultation.

The Licensing Authority will, where a special policy relating to cumulative impact has been adopted, review the policy regularly, and again at least every five years, to assess whether it is still required or indeed whether it needs expanding. There will be on-going consultation with stakeholders, where appropriate, as part of this process.
### Appendix 1: Delegation of functions from the licensing committee

<table>
<thead>
<tr>
<th>Matter to be dealt with</th>
<th>Licensing Sub-Committee</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for Personal Licence</td>
<td>If a police objection</td>
<td>If no objection made</td>
</tr>
<tr>
<td>Application for Personal Licence with unspent convictions</td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Application for Premises Licence/Club Premises Certificate</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application for provisional statement</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application to vary Premises Licence/Club Premises Certificate</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application to vary Designated Premises Supervisor</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Request to be removed as Designated Premises Supervisor</td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Application for transfer of Premises Licence</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Application for interim authorities</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Application to review Premises Licence/Club Premises Certificate</td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.</td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Decision to object when Local Authority is a Consultee and not the relevant Authority considering the application</td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Receipt of Temporary Event Notice</td>
<td>If objection Notice Received</td>
<td>All other cases</td>
</tr>
</tbody>
</table>
Appendix 2: Plan showing the Proposed Town Centre Cumulative Impact Policy Area and key regeneration and growth areas within the town centre.
### Appendix 3: Guide to Licensing Policy Considerations and Framework of Recommended Hours

<table>
<thead>
<tr>
<th>Area</th>
<th>Vision</th>
<th>Licensing Policy Direction</th>
<th>Premise Type: Initial Screening Assessment and recommended framework of hours.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stadium Quarter</td>
<td>A Colourful mixed use living and working community linking the stadium into the heart of the Town Centre.</td>
<td>Our aim for this area is to:</td>
<td>Restaurant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• To protect the integrity of the area and to encourage businesses that are consistent with the needs and expectations of the area.</td>
<td>✓ 1AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>We will seek to do this by:-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Encouraging restaurants, café’s and public houses that are consistent with the framework of recommended hours.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Directing expressions of interest for new bars to other town centre locations.</td>
<td></td>
</tr>
<tr>
<td>Bank Park</td>
<td>Improvement as the principle town centre park as a focus for events and festivals</td>
<td>Our aim is to:</td>
<td>Broader cultural offer, alcohol sales permitted as part of licensed event.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Broaden the appeal of the town centre and to provide a strong cultural offer.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>We will seek to do this by:-</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• Supporting applications for cultural events at this location and providing applicants with advice on the Licensing Act.</td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Vision</td>
<td>Licensing Policy Direction</td>
<td>Premise Type: Initial Screening Assessment and recommended framework of hours.</td>
</tr>
<tr>
<td>-----------------------------</td>
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</tr>
</tbody>
</table>
| Bridge Street Area (CIP AREA) | A new leisure, retailing and civic quarter in the heart of the town centre. | Our Aims for this area include:-  
- To expand the early evening offer to introduce a new customer base and to reduce the reliance on vertical late night drinking.  
- To change the perceptions of the area and to widen out the appeal.  

We will do this by:-  
- Promoting a terminal hour of 3AM and to encourage people to come out earlier in the evening.  
- By working with the trade to broaden the current offer.  
- By ensuring that premises operate to the highest standards.  
- By encouraging and supporting businesses to adopt alternative business strategies.  
- By managing the number of premises and fast food outlets in the area to reduce flash points and to promote the safe dispersal of people.  
- By encouraging investment from new and existing businesses that wish to broaden the appeal of the area.  
- By promoting an early evening | Restaurant: ✅ 1.30AM | Night Club/late bar: ✅ 3AM | Pub Bar: ✅ 3AM | Off licence: ❌ | Late Night Takeaway: ✅ 1.30AM |
<table>
<thead>
<tr>
<th>Area</th>
<th>Vision</th>
<th>Licensing Policy Direction</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>pavement café culture and by bringing resident's and family friendly businesses into the heart of the town.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By better understanding the needs and expectations of both current and potential customers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By tackling the small number of people who seek to cause trouble.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By exploring options for supporting and protecting vulnerable users of our late night economy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By providing a visible and effective regulatory presence that is proportionate to the needs of the area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By working with the trade to remove irresponsible drinks promotions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By ensuring that people do not drink to point where they become vulnerable or more inclined to participate in crime and anti-social behaviour.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By taking tough, proportionate and fair action against those who participate in crime and anti-social behaviour or those that allow their premises to be associated with it.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By introducing a new sense of respect for the area.</td>
</tr>
<tr>
<td>Area</td>
<td>Vision</td>
<td>Licensing Policy Direction</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Our aim is to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• To support the development of a mixed use area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>We will seek to do this by:-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Supporting applications that are commensurate to the needs and expectations of the area and that are consistent with mixed residential end use.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• By using the framework of hours to protect the integrity of the area.</td>
</tr>
<tr>
<td>Town Centre General</td>
<td>Creation of mixed use developments</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Our aim for this area is to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• To protect the integrity of the area and to encourage businesses that are consistent with the needs and expectations of the area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>We will seek to do this by:-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Encouraging restaurants, café’s, family friendly venues and public houses that are consistent with the framework of recommended hours.</td>
</tr>
<tr>
<td>Stockton Heath (CIP AREA)</td>
<td>To protect the integrity of the village centre.</td>
<td></td>
</tr>
</tbody>
</table>
### Area

<table>
<thead>
<tr>
<th>Area</th>
<th>Vision</th>
<th>Licensing Policy Direction</th>
<th>Premise Type: Initial Screening Assessment and recommended framework of hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Quarter (CIP AREA)</td>
<td>To protect the integrity of the area and to ensure that the cultural offer promotes the Licensing Objectives, provides a broad appeal and respects the interests of local residents.</td>
<td>Our aim for this area is to:</td>
<td>Restaurant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• To protect the integrity of the area and to encourage businesses that are consistent with the needs and expectations of the area.</td>
<td>✓ 1AM</td>
</tr>
<tr>
<td>District Centre</td>
<td>To protect the integrity of village centres and ensure that they remain viable.</td>
<td>Our aim for this area is to:</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• To protect the integrity of the area and to encourage businesses that are consistent with the needs and expectations of the area.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>We will seek to do this by:-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Encouraging restaurants, café’s, family friendly venues and public houses that are consistent with the framework of recommended hours.</td>
<td></td>
</tr>
<tr>
<td>12PM</td>
<td>?</td>
<td>1AM</td>
<td></td>
</tr>
<tr>
<td>?</td>
<td>Subject to location and proximity of houses.</td>
<td>11PM</td>
<td></td>
</tr>
<tr>
<td>(12PM)</td>
<td></td>
<td>(12PM)</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 4:- Other Policies, legislation, case-law and guidance sources

There are a number of other local and national policies, strategies, responsibilities, and guidance documents, which will be taken into account in order to complement the Authority’s Licensing Policy. The Licensing Authority will ensure proper integration of the Licensing Policy and other local policies such as the local crime prevention, planning, transport, tourism, cultural strategies and local alcohol policies.

Strategies and Policies

Alcohol Harm Reduction Strategy
British Beer and Pub Association Partnerships Initiative
Council’s own Enforcement Policy
Community Safety Strategy
Crime & Disorder Reduction Strategy
Cultural and Tourism Strategies including promotion of live music and community events
Drugs and Alcohol Strategy
Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries
Local Transport Plan
National and local Pubwatch schemes
Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.
Purple Flag (ATCM)

Related Legislation

Policing and Crime Act 2009
Anti Social Behaviour Act 2003
Crime and Disorder Act 1998
Crime and Security Act 2010
Criminal Justice and Police Act 2001
Private Security Industry Act 2001
The Clean Neighbourhoods and Environment Act 2005
The Health Act 2006
Violent Crime Reduction Act 2006
Local Government (Miscellaneous Provisions) Act 1982
Policing & Crime Act 2009
Equality Act 2010

Relevant case law regarding Policy Statements

Limits of Licensing Policy:

*BBPA & Others v Canterbury City Council* [2005] EWHC 1318 (Admin)
“Strict” Licensing Policies and exceptions to Policy:
*R (Westminster City Council) v Middlesex Crown Court and Chorion plc* [2002] LLR 538

Cumulative Impact Policies and hours
*R (JD Wetherspoon plc) v Guildford Borough Council* [2006] EWHC 815 (Admin)

Duplication and conditions:
*R (on the application of Bristol Council) v Bristol Magistrates’ Court* [2009] EWHC 625 (Admin)

Extra-statutory notification by the Licensing Authority:
*R (on the application of Albert Court Residents Association and others) v Westminster City Council* [2010] EWHC 393 (Admin)

The prevention of crime and disorder: ambit of the objective
*Blackpool Council, R (on the application of) v Howitt* [2008]

Crime and disorder: sanctions on review: deterrence
*Bassetlaw District Council, R (on the application of) v Workshop Magistrates Court* [2008]

**Guidance Documents**
Home Office ‘Practical Guide for Preventing and Dealing with Alcohol Related Problems
Home Office Safer Clubbing Guide
Home Office Alcohol Disorder Zone Guidance
Home Office Designated Public Place Order (DPPO) Guidance
DCMS s182 Guidance
LACORS/TSI Code of Practice on Test Purchasing
The Event Safety Guide (to be updated in 2011)
Licensing large scale events (music festivals etc)
Managing Crowds Safely
5 Steps to Risk Assessment
The Guide to Safety at Sports Grounds
Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Performances
UK BIDS: Business Improvement Districts (national BIDS advisory service)
BIS Code of Practice on Consultation
The Plain English Campaign
Appendix 5:-Useful References (Organisations)

Association of Convenience Stores (ACS)
http://www.thelocalshop.com/tls/index.asp

Association of Licensed Multiple Retailers (ALMR)
http://www.almr.org.uk/

Association of Town Centre Managers (ACTM and Purple Flag)
http://www.atcm.org/

British Beer and Pub Association (BBPA)
http://www.beerandpub.com/

British Board of Film Classification (BBFC)
www.bbfc.co.uk

British Institute of Inn Keeping (BII)
http://www.bii.org/

British Retail Consortium (BRC)
http://www.brc.org.uk/default.asp

Circus Arts Forum
www.circusarts.org.uk

Cinema Exhibitors' Association (CEA)
http://www.cinemauk.org.uk/

Department for Culture, Media and Sport (see links to the Licensing Act 2003, Explanatory Notes, Guidance and Regulations)
www.culture.gov.uk

Equity
http://www.equity.org.uk/

Independent Street Arts Network
www.streetartsnetwork.org.uk

Institute of Licensing (IOL)
http://www.instituteoflicensing.org/

Justices Clerks’ Society Good Practice Guide, Licensing
www.jc-society.co.uk

Licensed Victuallers Associations (LVAs)
http://www.flva.co.uk/

National Association of Local Government Arts Officers
http://www.nalgao.org/

National Pub Watch
http://www.nationalpubwatch.org.uk/index.php

NOCTIS
(Formerly Bar, Entertainment and Dance Association (BEDA)
http://www.noctisuk.org/

The Portman Group
www.portman.org.uk
Appendix 6:- Glossary of terms

Foreign Offence – any offence (other than a relevant offence) under the Law of any place outside England and Wales (s113(3) of Act)

Qualifying club – A club is a qualifying club in relation to the provision of regulated entertainment if it satisfies the conditions

Condition 1 – under the rules of the club persons may not
(a) be admitted to Membership, or
(b) be admitted, as candidates for Membership, to any privileges of Membership without an interval of at least 2 days between their nomination or application for Membership and their admission;

Condition 2 – under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least 2 days between their becoming members and their admission;

Condition 3 – the club is established and conducted in good faith as a club;

Condition 4 – the club has at least 25 members

Condition 5 – alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club. A club is a qualifying club in relation to the supply of alcohol to members or guests if it satisfies the conditions 1 to 5 above and the additional conditions 1 to 3 below

Additional condition 1 – that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a Committee whose members –
(a) are members of the club;
(b) have attained the age of 18 years; and
(c) are elected by the members of the club

Additional condition 2 – no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club;

Additional condition 3 – no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from –
(a) any benefit accruing to the club as a whole
(b) any benefit, which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club s 62 & s 64 of Act

Relevant Representations and representations, which are
(a) relevant to one or more of the licensing objectives,
(b) made by an interested party or responsible authority within the appropriate period, and
(c) have not been withdrawn, and
(d) if they are made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the Council frivolous or vexatious

The Council will determine whether representations are relevant or not.

Responsible Authority
Any of the following
(a) the Chief Officer of police for any police area in which the premises are situated,
(b) the Fire Authority for any area in which the premises are situated,
(c) the Enforcing Authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for the area.
(d) the Local Planning Authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated,
(e) the Local Authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
(f) a body which-
(i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
(ii) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters,
(g) the relevant Licensing Authority whose area the premises is situated,
(h) the local Primary Care Trust
(i) in relation to a vessel-
(j) a Navigation Authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be navigated at a time when it is used for Licensable Activities,
(i) the Environment Agency,
(ii) the British Waterways Board, or
(iii) the Secretary of State,
(k) a person prescribed for the purposes of this subsection and the Local Weights and Measures Authority (Trading Standards)

For the purposes of the above, "statutory function" means a function conferred by or under any enactment.

Appendix 7 - Maps in reference to Section 6 Cumulative impact policy.

Bridge Street

<table>
<thead>
<tr>
<th>Streets</th>
<th>Wilson Patten Street</th>
<th>Suez Street</th>
<th>Egypt Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sankey Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winmarleigh Street</td>
<td>Bold Street</td>
<td>St Austins Lane</td>
<td>Museum Street</td>
</tr>
<tr>
<td>Palmyra Square North</td>
<td>Palmyra Square South</td>
<td>Cairo Street</td>
<td></td>
</tr>
</tbody>
</table>
Cultural Quarter.

### Streets

<table>
<thead>
<tr>
<th>Sankey Street</th>
<th>Cairo Street</th>
<th>Barbauld Street</th>
<th>Patten Lane</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge Street</td>
<td>Rylands Street</td>
<td>Friars Gate</td>
<td>Friars Lane</td>
</tr>
<tr>
<td>Bold Street</td>
<td>Stanley Street</td>
<td>Wilson Patten Street</td>
<td>Buttermarket Street</td>
</tr>
<tr>
<td>Union Street</td>
<td>Horrocks Lane</td>
<td>Dolmans Lane</td>
<td>Bank Street</td>
</tr>
<tr>
<td>Academy Way</td>
<td>New Market Walk</td>
<td>Moulders Lane</td>
<td>Mersey Street</td>
</tr>
<tr>
<td>Bank Street</td>
<td>Academy Street</td>
<td>Legh Street</td>
<td>Regent Street</td>
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</tr>
<tr>
<td>Garven Place</td>
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</tbody>
</table>

Stockton Heath.
**APPENDIX 2: PROVISIONAL TIMELINE TO ADOPTION**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finalisation of the Policy and supporting evidence</td>
<td>Nov 14-Dec 14</td>
</tr>
<tr>
<td>Meeting of the Licensing committee to update member’s on the latest draft of the Statement of Licensing Policy.</td>
<td>Dec 14</td>
</tr>
<tr>
<td>Meeting of the Licensing Committee seeking approval to consult on the policy.</td>
<td>Jan 15</td>
</tr>
<tr>
<td>Consultation</td>
<td>Jan-March 15</td>
</tr>
<tr>
<td>Report to Licensing Committee seeking approval to take a report to Full Council seeking approval to adopt the policy (subject to no significant amendments).</td>
<td>March 15</td>
</tr>
<tr>
<td>Full Council report seeking adoption.</td>
<td>July 15</td>
</tr>
</tbody>
</table>
APPENDIX 3: LATEST CUMULATIVE IMPACT EVIDENCE (STOCKTON HEATH SURVEY RESULTS TO BE ADDED ONCE COMPLETE).


1 Introduction

1.1 Section 16 of the Licensing Policy Statement sets out how the Licensing authority will seek to apply and administer the special policy, and the rationale for the decision to introduce Cumulative Impact policies (CIP).

1.2 It also sets out the information that has been used to reach a decision that there is a sufficient evidence to include a special policy within the Statement of Licensing Policy; regard has also had regard to the guidance issued under section 182 of the Licensing Act 2003. This document provides the supporting information.

1.3 We recognise the need to protect our district centres and to promote and encourage the responsible retail of alcohol. Furthermore, we are keen to ensure that the licensing trade play a full and active part in broadening the appeal, and ensuring the safety of, key areas of growth and regeneration.

2 Description of Cumulative Impact Areas (proposed)

Bridge Street Area

2.1 The area is shown in figure 1. The area has 21 premises that are licensed to sell alcohol within an area of 11.59 hectares. Figure 1 also shows the location of licensed premises, within the area, by predominant use type. It can be noted that the predominant use types are bars and takeaways. The boundary of the area has been taken to the nearest geographical feature, such as major roads.

2.2 Figure 2 provides a breakdown of the number of premises against time in terms of opening hours. Out of the 21 premises, licensed to sell alcohol within the proposed area, 81% are licensed to supply alcohol after 2AM, 57% after 3AM and 38% after 4AM. One bar has a 4.30AM licence, one a 5.00AM licence and one a 6.00AM licence. A list of premises by hour is provided in appendix 1.
Figure 1: Cumulative Impact Area.

Figure 2: Number of premises licensed to sell alcohol by hour (opening hours)
Cultural Quarter Area.

2.3 The area is shown in figure 3. The area has 21 premises that are licensed to sell alcohol within an area of 8.10 hectares. Figure 3 also shows the location of licensed premises, within the area, by predominant use type. It can be noted that the predominant use type is residential. There are also a number of bars and restaurants in very close proximity to the residential properties. A number of other residential units are also very close to the proposed area. Residents have already expressed concerns about a number of issues relating to the promotion of the Licensing Objectives, see section 3. The boundary of the area has been taken to the nearest geographical feature, such as major roads, so as to include licensed premises and residential properties.

2.4 Figure 4 provides a breakdown of the number of premises against time; in terms of the supply of alcohol. Out of the 21 premises, licensed to sell alcohol, within the proposed area, 14% are licensed to supply alcohol after 2AM. A list of premises by hour is provided in Appendix 1.

Figure 3 Cumulative Impact Area
Figure 4: Number of premises licensed to sell alcohol by hour (opening hours)
Stockton Heath

TO BE UPDATED.
3 **The views of Local Residents**

3.1 The Licensing Authority recognises the right for people to have their say in local decisions and to have a voice within the Licensing Act.

3.2 A Survey of town centre residents therefore took place between 28th July 2014 and 1st September 2014, with 254 residents receiving a letter and questionnaire. 14.5% of residents expressed their views on a range issues associated with the town centre night time economy.

3.4 74% of respondents used restaurants within the town centre, 58% used the bars and 51% used fast food establishments.

3.5 A summary of responses taken directly from the survey results is provided in appendix 2.

3.6 It is clear that residents are affected by a number of issues.

3.7 Key headlines include:-
- Noise from people gathered outside premises and people being noisy as they disperse from licensed areas was highlighted as a problem by 65% of respondents.
- Music from licensed premises and noise from fast food outlets was less of an issue.
- Fear of public nuisance (over 50% stated it was a problem) and environmental or criminal damage was highlighted (over 60%) as more of an issue than fear of personal injury.
- Litter being dropped in the street from people who have visited licensed premises was highlighted as a problem by over 80% of respondents.
- Over 50% of respondents thought there were too few family orientated venues.
- 39% thought there were too few food orientated bars
- 45% of respondents thought that there are too many late night drink/music orientated bars.
- 86% of respondents felt that Bridge Street premises should be open no later than 3AM.
- 89% of respondents felt that the Cultural Quarter should be open no later than 2AM, with 68% stating before 1AM.
- 64% did not support the opening of new late night drink/music orientated bars in Bridge Street, this increased to 68% for the Cultural Quarter.
- There was general support for wine bars and more family and food orientated venues in the Cultural Quarter.
- The main reason for certain residents not using the town centre was because the bars were too noisy (40%)

4 Alcohol Harm

4.1 The JSNA report: Health Related Behaviour and Risk Factors Domain, Alcohol, provides evidence on the impact of alcohol. An excerpt of the 2014 refresh is provided in appendix 3, with relevant data being extracted from the full report.

5 Litter and public realm

5.1 The majority of town centre residents, some 80% of respondents, cited litter as a problem. The cost of cleansing the town centre at the weekend is £536 on Saturday and £712 on Sunday. The annual cost of cleansing the streets over the weekend is therefore in the region of £65,000 per annum. The crews state that the vast majority of the litter is associated with the night-time economy, with Tuesdays (Student Night), Fridays and Saturdays being the problem nights. The litter is predominately from fast food establishments.
5.2 Figures 2 and 3 show pictures taken from a typical Saturday/Sunday morning 2014.

6 Crime and Anti-Social Behaviour

6.1 The Community Safety Partnership has provided evidence in support of the Cumulative Impact Area, which is set out in appendix 4. The report provided concludes that there is a residual level of crime and disorder in the town centre, and that the continuation of one or more Cumulative Impact Areas, or other zoning of discrete areas of the town centre, is desirable; alongside other measures to improve the town centre.

7 The role and effectiveness of other measures in mitigating the Cumulative Impact

7.1 The S.182 Guidance directs Licensing Authorities to consider what other measures, if any, would assist in mitigating against the cumulative impact of licensed premises. Appendix 6, sets out the areas considered in determining that a Cumulative Impact Area is appropriate.
APPENDICES AND SUPPORTING EVIDENCE
### Appendix 1: List of premises by hour

List of premises licensed to sell alcohol by hour (CIP Area 1: Bridge Street).

<table>
<thead>
<tr>
<th>Premises</th>
<th>Status</th>
<th>Terminal hour</th>
<th>Terminal operating hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ruchi Tandori (R)</td>
<td>Surrendered</td>
<td>22.00</td>
<td>22.00</td>
</tr>
<tr>
<td>Town Centre News</td>
<td>Surrendered</td>
<td>01.00</td>
<td>01.30</td>
</tr>
<tr>
<td>Chicago Rock</td>
<td>Surrendered</td>
<td>02.00</td>
<td></td>
</tr>
<tr>
<td>Spizania</td>
<td>Surrendered</td>
<td>02.00</td>
<td></td>
</tr>
<tr>
<td>Bridge Street News (O/L)</td>
<td></td>
<td>22.00</td>
<td>22.00</td>
</tr>
<tr>
<td>Lower Angel</td>
<td></td>
<td>01.00</td>
<td>01.30</td>
</tr>
<tr>
<td>Rossos (R) <strong>Suspended</strong></td>
<td></td>
<td>02.00</td>
<td>02.00</td>
</tr>
<tr>
<td>Feathers</td>
<td></td>
<td>01.00</td>
<td>02.00</td>
</tr>
<tr>
<td>Shenanigans</td>
<td></td>
<td>02.00</td>
<td>02.30</td>
</tr>
<tr>
<td>Bridges</td>
<td></td>
<td>02.00</td>
<td>02.30</td>
</tr>
<tr>
<td>Rag and Bone</td>
<td></td>
<td>02.00</td>
<td>02.30</td>
</tr>
<tr>
<td>Venue</td>
<td>Time</td>
<td>Time</td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td>--------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Looking Glass</td>
<td>02.00</td>
<td>02.30</td>
<td></td>
</tr>
<tr>
<td>Friar Penketh</td>
<td>02.00</td>
<td>03.00</td>
<td></td>
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<tr>
<td>Level</td>
<td>03.00</td>
<td>03.00</td>
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</tr>
<tr>
<td>53 Degrees</td>
<td>03.00</td>
<td>03.30</td>
<td></td>
</tr>
<tr>
<td>Babylon/Reflex</td>
<td>03.00</td>
<td>03.30</td>
<td></td>
</tr>
<tr>
<td>Postern Gate</td>
<td>03.00</td>
<td>03.30</td>
<td></td>
</tr>
<tr>
<td>Cromwells</td>
<td>04.00</td>
<td>04.00</td>
<td></td>
</tr>
<tr>
<td>DV8</td>
<td>04.00</td>
<td>04.30</td>
<td></td>
</tr>
<tr>
<td>Friars Court/Venue</td>
<td>04.00</td>
<td>04.30</td>
<td></td>
</tr>
<tr>
<td>Fusion Sports Bar</td>
<td>04.00</td>
<td>04.30</td>
<td></td>
</tr>
<tr>
<td>Showbar &amp; Secrets</td>
<td>04.00</td>
<td>05.00</td>
<td></td>
</tr>
<tr>
<td>Darli Lounge</td>
<td>04.30</td>
<td>04.30</td>
<td></td>
</tr>
<tr>
<td>Voodoo</td>
<td>05.00</td>
<td>05.45</td>
<td></td>
</tr>
<tr>
<td>Reef</td>
<td>06.00</td>
<td>06.30</td>
<td></td>
</tr>
<tr>
<td>Premises</td>
<td>Open Time</td>
<td>Close Time</td>
<td></td>
</tr>
<tr>
<td>--------------------------</td>
<td>-----------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>Hoi Tin (R)</td>
<td>22.30</td>
<td>22.30</td>
<td></td>
</tr>
<tr>
<td>Warrington Club (PM)</td>
<td>23.00</td>
<td>23.00</td>
<td></td>
</tr>
<tr>
<td>Shellys (R)</td>
<td>23.30</td>
<td>00.00</td>
<td></td>
</tr>
<tr>
<td>Parr Hall</td>
<td>23.30</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>Nandos (R)</td>
<td>00.00</td>
<td>00.30</td>
<td></td>
</tr>
<tr>
<td>Pyramid</td>
<td>00.00</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>The Palmyra</td>
<td>00.30</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>Mr Laus (R)</td>
<td>00.30</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Institution</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Quarter Bar</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Grill on the Square (R)</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>The Lounge</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Steak (R)</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>Start Time</td>
<td>End Time</td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>Treasury Bar</td>
<td>01.00</td>
<td>01.00</td>
<td></td>
</tr>
<tr>
<td>Mojos Bar &amp; Grill</td>
<td>01.00</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>Agave Rumbar</td>
<td>01.00</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>9 Gallon</td>
<td>01.00</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>Barley Mow</td>
<td>01.00</td>
<td>01.30</td>
<td></td>
</tr>
<tr>
<td>The Apartment</td>
<td>02.00</td>
<td>03.00</td>
<td></td>
</tr>
<tr>
<td>White Hart</td>
<td>03.00</td>
<td>04.00</td>
<td></td>
</tr>
<tr>
<td>Club Delicious</td>
<td>03.00</td>
<td>04.00</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 2: A summary of resident's survey

APPENDIX 2: Full Town Centre Survey Results

Overall, the online survey was accessed 58 times.

Each of the measured questions below, show the total number of respondents for each question.

1. Can you please tell us your postcode? (Write in box below)

2. Thinking about this local area, how much of a problem do you think noise is? (select one from each row)

<table>
<thead>
<tr>
<th></th>
<th>A very big problem</th>
<th>A fairly big problem</th>
<th>Not a big problem</th>
<th>Not a problem at all</th>
<th>Don't know/No opinion</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Music from licensed premises</td>
<td>23.68% (9)</td>
<td>18.42% (7)</td>
<td>34.21% (13)</td>
<td>23.68% (9)</td>
<td>0% (0)</td>
<td>38</td>
</tr>
<tr>
<td>Noise from people gathered</td>
<td>40.54% (15)</td>
<td>24.32% (9)</td>
<td>21.62% (8)</td>
<td>13.51% (5)</td>
<td>0% (0)</td>
<td>37</td>
</tr>
<tr>
<td>outside licensed premises</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(shouting etc.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
People being noisy as they leave licensed premises and walking through residential areas | 40.54% (15) | 21.62% (8) | 27.03% (10) | 10.81% (4) | 0% (0) | 37
---|---|---|---|---|---|---
Noise from people outside fast food establishments | 13.51% (5) | 13.51% (5) | 35.14% (13) | 24.32% (9) | 13.51% (5) | 37
---|---|---|---|---|---|---
Noise from people at taxi queues | 5.71% (2) | 11.43% (4) | 20% (7) | 37.14% (13) | 25.71% (9) | 35
---|---|---|---|---|---|---
Noise from deliveries to premises | 5.71% (2) | 34.29% (12) | 17.14% (6) | 31.43% (11) | 11.43% (4) | 35
---|---|---|---|---|---|---
Noise from empty bottles being put in trade bins | 28.57% (10) | 31.43% (11) | 17.14% (6) | 20% (7) | 2.86% (1) | 35
---|---|---|---|---|---|---
Total Respondents | 38

22 people (10 were female and 12 were male) out of 35 who answered this question said that Noise from people gathered outside licensed premises (shouting etc.) is A fairly / very big problem.

3. Please specify any other noise problems (associated with licensed premises only)(Write in box below)
- Staff smoking at the back door of Mojo’s. Very noisy, and sometimes kicking footballs against walls
- The only noise that bothers us is from StagePro academy on Museum Street.
- Crowds of up to 30 people drinking and being very rowdy outside The Palmyra sometimes until 12.30 am or later.
- The Palmyra: Friday and Saturday nights customers congregating outside establishment on public footpath shouting, shrieking, sometimes fighting totally inappropriate premises for a licensed business.
- I live too far away from the town centre night scene (Wilson patten street) for the noise to be an issue to me really.
- I have lived at * knight bridge 13 years and complained numerous times. Even had to get my MP involved sick of grill on the square deliveries, noise and music same with the Palmyra. its 1am of a weekend before I can get to sleep because of the noise.
- I live very close to lounge and grill on square at knight bridge court. noise from emptying bottles is sometimes unbearable. rubbish left from drinking on park (queen’s gardens) and teenagers making noise being disruptive is a bigger problem.
- People using the street to get to or leave pubs and clubs shouting swearing and urinating
- Banging from underneath all night from fast food place
- Music going on until 3am
- The Palmyra frequently fails to adhere to its licence condition. long after 23 noisy people are drinking in the street and shouting often 20-30 people can be outside until beyond 12.30 at the weekends.
- at present music from shenarnigans bar extremely loud being omitted into bridge street
- Too Many take always in bridge street, Can you think about another way to earn some money for the council?
- Ask pubs/Night clubs to keep their doors/Windows shut if it is warm inside use air conditioning
- Noise of persons walking into town via Palmyra sq. north after leaving food outlets often reduced by 1am. Since the opening of the (institution) the last 2 weekends music has been booming till 4am and people noise till after 4.30 am (I have not slept)

4. Thinking about your local area, how much of a problem do you think Crime and disorder is? (select one from each row)

<table>
<thead>
<tr>
<th></th>
<th>A very big problem</th>
<th>A fairly big problem</th>
<th>Not a big problem</th>
<th>Not a problem at all</th>
<th>Don’t know/No opinion</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fear of personal injury/assault</td>
<td>22.5% (9)</td>
<td>10% (4)</td>
<td>45% (18)</td>
<td>20% (8)</td>
<td>2.5% (1)</td>
<td>40</td>
</tr>
<tr>
<td>Fear of public nuisance/disturbance</td>
<td>28.95% (11)</td>
<td>23.68% (9)</td>
<td>31.58% (12)</td>
<td>13.16% (5)</td>
<td>2.63% (1)</td>
<td>38</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-------------</td>
<td>------------</td>
<td>-------------</td>
<td>------------</td>
<td>----------</td>
<td>----</td>
</tr>
<tr>
<td>Fear of environmental damage</td>
<td>13.16% (5)</td>
<td>47.37% (18)</td>
<td>23.68% (9)</td>
<td>13.16% (5)</td>
<td>2.63% (1)</td>
<td>38</td>
</tr>
<tr>
<td>Fear of criminal damage</td>
<td>15.38% (6)</td>
<td>41.03% (16)</td>
<td>30.77% (12)</td>
<td>7.69% (3)</td>
<td>5.13% (2)</td>
<td>39</td>
</tr>
<tr>
<td>Fear of harassment</td>
<td>20% (8)</td>
<td>17.5% (7)</td>
<td>45% (18)</td>
<td>15% (6)</td>
<td>2.5% (1)</td>
<td>40</td>
</tr>
<tr>
<td>Total Respondents</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40</td>
</tr>
</tbody>
</table>

15 out of the 21 Males and 9 out of the 16 Female who took the survey don’t think fear of personal injury/assault is a problem. 22 out these are 35 and over.

5 out of the 21 Males and 7 out of the 16 Female who took the survey think fear of personal injury/assault is a very/ fairly problem. 12 of these are aged 35 and over.
5. Thinking about this local area, how much of a problem do you think littering is? (select one from each row)

<table>
<thead>
<tr>
<th>Litter outside licensed premises</th>
<th>A very big problem</th>
<th>A fairly big problem</th>
<th>Not a big problem</th>
<th>Not a problem at all</th>
<th>Don't know/No opinion</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litter outside fast food establishments</td>
<td>27.5% (11)</td>
<td>30% (12)</td>
<td>30% (12)</td>
<td>10% (4)</td>
<td>2.5% (1)</td>
<td>40</td>
</tr>
<tr>
<td>Litter being dropped in the street by people who have visited licenced premises/fast food establishments</td>
<td>35% (14)</td>
<td>35% (14)</td>
<td>20% (8)</td>
<td>2.5% (1)</td>
<td>7.5% (3)</td>
<td>40</td>
</tr>
</tbody>
</table>

15 male and 11 female think Litter outside fast food establishments is a very big or fairly big problem, majority of these are aged 45-54 (8)

6. Do you think the town centre is well served with the following? (Please select one option only)

<table>
<thead>
<tr>
<th>Traditional public house</th>
<th>There are just the right number</th>
<th>There are too many overall</th>
<th>There are too few</th>
<th>Don’t know</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>44.74% (17)</td>
<td>10.53% (4)</td>
<td>28.95% (11)</td>
<td>15.79% (6)</td>
<td>38</td>
</tr>
<tr>
<td>Nightclubs</td>
<td>39.47% (15)</td>
<td>36.84% (14)</td>
<td>5.26% (2)</td>
<td>18.42% (7)</td>
<td>38</td>
</tr>
<tr>
<td>Late Night drink/music orientated bars</td>
<td>35% (14)</td>
<td>45% (18)</td>
<td>12.5% (5)</td>
<td>7.5% (3)</td>
<td>40</td>
</tr>
<tr>
<td>Food Type</td>
<td>Yes</td>
<td>No</td>
<td>Unsure</td>
<td>Total Respondents</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>--------------</td>
<td>-------------</td>
<td>--------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>Wine bars</td>
<td>37.84% (14)</td>
<td>10.81% (4)</td>
<td>24.32% (9)</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td>Family orientated venues</td>
<td>25% (9)</td>
<td>0% (0)</td>
<td>52.78% (19)</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>Food orientated bars</td>
<td>44.44% (16)</td>
<td>8.33% (3)</td>
<td>38.89% (14)</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>Total Respondents</td>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>

7. Do you feel that the operating hours of food and alcohol outlets are suitable for the Cultural Quarter? (Select one option for each row)

<table>
<thead>
<tr>
<th>Outlet</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
<th>Total Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast food</td>
<td>57.89% (22)</td>
<td>15.79% (6)</td>
<td>26.32% (10)</td>
<td>38</td>
</tr>
<tr>
<td>Restaurants</td>
<td>75% (30)</td>
<td>15% (6)</td>
<td>10% (4)</td>
<td>40</td>
</tr>
<tr>
<td>Off licences</td>
<td>41.03% (16)</td>
<td>15.38% (6)</td>
<td>43.59% (17)</td>
<td>39</td>
</tr>
<tr>
<td>Bars</td>
<td>46.15% (18)</td>
<td>48.72% (19)</td>
<td>5.13% (2)</td>
<td>39</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>40</td>
</tr>
</tbody>
</table>
8. Do you feel that the operating hours of food and alcohol outlets are suitable for Bridge Street? (Select one option for each row)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast food</td>
<td>57.89% (22)</td>
<td>15.79% (6)</td>
<td>26.32% (10)</td>
<td>38</td>
</tr>
<tr>
<td>Restaurants</td>
<td>48.65% (18)</td>
<td>16.22% (6)</td>
<td>35.14% (13)</td>
<td>37</td>
</tr>
<tr>
<td>Off licences</td>
<td>40.54% (15)</td>
<td>21.62% (8)</td>
<td>37.84% (14)</td>
<td>37</td>
</tr>
<tr>
<td>Bars</td>
<td>47.37% (18)</td>
<td>31.58% (12)</td>
<td>21.05% (8)</td>
<td>38</td>
</tr>
<tr>
<td>Total Respondents</td>
<td></td>
<td></td>
<td></td>
<td>38</td>
</tr>
</tbody>
</table>
9. When do you think Bridge Street premises should be open until? (please select one answer only)

<table>
<thead>
<tr>
<th>Time</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 PM - 12 AM</td>
<td>14</td>
<td>39%</td>
</tr>
<tr>
<td>12 AM - 1 AM</td>
<td>7</td>
<td>19%</td>
</tr>
<tr>
<td>1 AM - 2 AM</td>
<td>2</td>
<td>6%</td>
</tr>
<tr>
<td>2 AM - 3 AM</td>
<td>8</td>
<td>22%</td>
</tr>
<tr>
<td>3 AM - 4 AM</td>
<td>1</td>
<td>3%</td>
</tr>
<tr>
<td>4 AM - 5 AM</td>
<td>2</td>
<td>6%</td>
</tr>
<tr>
<td>5 AM - 6 AM</td>
<td>2</td>
<td>6%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>36</td>
<td>100%</td>
</tr>
</tbody>
</table>
10. When do you think Cultural Quarter premises should be open until? (please select one answer only)

<table>
<thead>
<tr>
<th>Time</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 PM -12 AM</td>
<td>19</td>
<td>51%</td>
</tr>
<tr>
<td>12 AM -1 AM</td>
<td>6</td>
<td>16%</td>
</tr>
<tr>
<td>1AM - 2 AM</td>
<td>6</td>
<td>16%</td>
</tr>
<tr>
<td>2AM-3AM</td>
<td>2</td>
<td>5%</td>
</tr>
<tr>
<td>3AM-4AM</td>
<td>2</td>
<td>5%</td>
</tr>
<tr>
<td>4AM-5AM</td>
<td>1</td>
<td>3%</td>
</tr>
<tr>
<td>5AM-6AM</td>
<td>1</td>
<td>3%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>37</td>
<td>100%</td>
</tr>
</tbody>
</table>
11. Do you support the opening of new premises as below? (Please select one option only)

<table>
<thead>
<tr>
<th></th>
<th>Bridge St Yes</th>
<th>Bridge St No</th>
<th>Cultural Qu Yes</th>
<th>Cultural Qu No</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traditional public house</td>
<td>24.07% (13)</td>
<td>20.37% (11)</td>
<td>31.48% (17)</td>
<td>24.07% (13)</td>
<td>54</td>
</tr>
<tr>
<td>Nightclubs</td>
<td>12.24% (6)</td>
<td>36.73% (18)</td>
<td>2.04% (1)</td>
<td>48.98% (24)</td>
<td>49</td>
</tr>
<tr>
<td>Late Night drink/music orientated bars</td>
<td>16% (8)</td>
<td>28% (14)</td>
<td>18% (9)</td>
<td>38% (19)</td>
<td>50</td>
</tr>
<tr>
<td>Wine bars</td>
<td>22.73% (10)</td>
<td>20.45% (9)</td>
<td>38.64% (17)</td>
<td>18.18% (8)</td>
<td>44</td>
</tr>
<tr>
<td>Family orientated venues</td>
<td>24.49% (12)</td>
<td>14.29% (7)</td>
<td>44.9% (22)</td>
<td>16.33% (8)</td>
<td>49</td>
</tr>
<tr>
<td>Food orientated bars</td>
<td>27.08% (13)</td>
<td>14.58% (7)</td>
<td>41.67% (20)</td>
<td>16.67% (8)</td>
<td>48</td>
</tr>
<tr>
<td>Total Respondents</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>54</td>
</tr>
</tbody>
</table>

11 male and 8 female support opening new premises family oriented venues and food oriented bars.
12. Do you personally use any of the following? (Select one option for each row)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
<th>Response Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast food</td>
<td>51.28% (20)</td>
<td>48.72% (19)</td>
<td>0% (0)</td>
<td>39</td>
</tr>
<tr>
<td>Restaurants</td>
<td>73.68% (28)</td>
<td>26.32% (10)</td>
<td>0% (0)</td>
<td>38</td>
</tr>
<tr>
<td>Off licences</td>
<td>25.64% (10)</td>
<td>74.36% (29)</td>
<td>0% (0)</td>
<td>39</td>
</tr>
<tr>
<td>Bars</td>
<td>57.5% (23)</td>
<td>42.5% (17)</td>
<td>0% (0)</td>
<td>40</td>
</tr>
<tr>
<td>Total Respondents</td>
<td></td>
<td></td>
<td></td>
<td>40</td>
</tr>
</tbody>
</table>
13. If Yes, Why?(Please select one of the below)

<table>
<thead>
<tr>
<th>Enjoy late night venues</th>
<th>5</th>
<th>25%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enjoy Pubs/Bars</td>
<td>10</td>
<td>50%</td>
</tr>
<tr>
<td>Enjoy Restaurants</td>
<td>12</td>
<td>60%</td>
</tr>
<tr>
<td>Enjoy using fast food outlets</td>
<td>8</td>
<td>40%</td>
</tr>
<tr>
<td>Other, please specify</td>
<td>3</td>
<td>15%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

Other comments: Don't' have to travel far and good mix of food and drinks, family night out, fast food
14. If not, Why? (Please select one answer only)

<table>
<thead>
<tr>
<th>Reason</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fear of Crime/Anti-social behaviour</td>
<td>4</td>
<td>20%</td>
</tr>
<tr>
<td>Bars are too noisy</td>
<td>8</td>
<td>40%</td>
</tr>
<tr>
<td>The bars are all the same/They don't appeal to me</td>
<td>1</td>
<td>5%</td>
</tr>
<tr>
<td>Lack of family friendly venues</td>
<td>1</td>
<td>5%</td>
</tr>
<tr>
<td>Other, please specify</td>
<td>6</td>
<td>30%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>20</td>
<td>100%</td>
</tr>
</tbody>
</table>

Other comments:

1. I'm usually alone, and they are intimidating to a lone female
2. bars are not all the same but what there is just doesn't appeal to me
3. occasional socialising
4. buy from Tesco
5. type of people are scroats
6. I fear going out because drink & drugs fuel violence

15. Please let us know if you have any further comments to make in the box below:

- all bars should have a dress code, i.e., no trainers/jeans/track suits etc.
- It's not so much the people IN bars/clubs which bothers me as I can choose not to join them. However I observe men piling out of minibuses in the evening using my doorway as a urinal, or using my doorway as a smoking shelter or just drinking cans bought from supermarkets there. This is very unpleasant. I also have to ‘chase’ youths off my flat roof, where they congregate to drink/smoke.
- Rowdy drinkers and fighting can be a problem in town especially at the end of the evening
- You did not enclose a paper survey so many people who do not have computers cannot respond.
- Much drunkenness and noise most nights of the week. The council cannot even stop skateboarders so do not know how you can stop this. Also no out of hour’s noise phone number to call.
- I feel the Cultural Quarter is destined to become the new Bridge Street to the detriment of the local residents. Last weekend on returning home in the early hours of Sunday it was almost impossible to drive down Springfield Street due to the number of people milling about in the road, many of whom had obviously consumed a lot of alcohol and were unwilling to move onto the pavement. Also I understood customers were not supposed to be drinking outside with glass tumblers but should have alcohol in plastic tumblers. That is certainly not enforced. I felt very vulnerable as I sat in my car trying to make my way home. I have lived here for almost 7 years and have seen the area deteriorate with the local restaurants changing to mainly bars.
- Queens’s gardens should be better policed. The gathering of youths (Noise, music, Alcohol, DIY BBQs) No large number, is a nuisance, so too are the hardened drinkers who gather no groups and are noisy on occasions
- I think the balance of venue at night is weighed very heavily towards the clubbing scene. I do not generally put pubs into that category as at most of the mainstream pub chains i.e. Weatherspoon’s, their is the option to food/meals. I think it would be far healthier balance in the town centre at night to have more family friendly / food orientated restaurants/ venues that people could have healthier social engagements, rather that then street being filled with intoxicated people. This would surly led top Warrington having a more positive environment at night in the town centre and would give a good impression of Warrington to others especially tourists.
- Concerns : Smoking related litter outside venues, Outside drinking in cultural quarter, assembly of homeless community around queens gardens
- Litter left in queens gardens on sunny days
- loud mopeds / scooter being ridden
- letter marketing/publicity of events in town centre
• Coward gathering in street outside the Palmyra can be a major disturbance making it impossible to sleep before 2 am at weekends
• Drunken groups shouting etc. whilst passing through Palmyra square regularly make sleeping impossible into the early hours most weekends especially in the summer.
• Deliveries refuse bottle collection from the grill on the square are a regular disturbance during more the days and vehicles park outside would be better if parked around the corner on Springfield St. Thanks
• Living in Palmyra square north the noise between 23-3 with people going by or stopping in queens gardens is bad , but in summer with the bedroom windows open you can’t get to sleep
• Will someone finally listen? An area has been set aside for Palmyra in the queens , I don’t want people standing drinking on the road or where I can’t sleep
• Bridge street is unsafe; never go there my friends recently got glassed. Bouncers wrong mentality-should stop people going in bars, rather than letting them in, then kicks off and have to go in heavy handed worry is when bridge st is renovated those crowds will go elsewhere maybe cultural quarter, which at the moment is just right, needs pedestrianizing - seats outside
• think that the parking enforcement is too rigid and stops night-time econy in Palmyra area and my street bold street parking in stockton heath no worries just leave car anywhere double yellow or pavement no worries
• I would love the streets to be cleaned every Saturday and Sundays morning. there are many broken bottles around suez,cairo,bold and egypt street. All take-away items should be cleaned as well and also condoms. The clubs/Bars should stop playing very loud music. I can hear most of the music through my window. I will be grateful, if the bars/clubs around Bold st and Egypt st. Reduce the noise level. These Bars / Clubs ower are making money at the expense of our beauty sleep. I wake up every weekend more tired! the volume of the music is increasing every weekend.
• we would like to have recycling bins
• The question does not address any quality issues regarding the existing restaurants/pubs. we would like restaurants to serve better food. ,moreover some pubs should be located in better premises
• you won’t get a true reflection of the problems in Palmyra square with this survey as only 50% of the apartments face onto the square and a number of them are rented unfortunately for us permanent residents it is not a pleasant environment especially at weekend
• for the sake of residents in the cultural quarter we need licences to adhere to their licence conditions. Would be helpful to have a regular patrol at 23.15 hours by the alcohol harm reduction officer to check conformance. too noisy-too late at night
• The 'cultural Quarter 'Has recently become more of a subcultural quarter due to the 'pond life' that are attracted to the area by the lotion of the drug dependency unit in bold street and a 'drop in centre' at bold street Methodist church. There is now a 'Squat' in museum st which is regularly visited by the police due to antisocial behaviour associated with alcohol and drug abuse. If the council wants to improve 'living' in the cultural quarter it should take steps to have these establishments relocated or closed down.
• With reference to question 4, we don’t think littering is a problem, its litter. Most other town centres are cleaned daily bridge street is always dirty and the steps leading to the market appear not to have been cleaned since the market opened in 1972. We also took our
grandchildren to visit the river of life we now call it the river of muck as it was full of coke tins, tissues and plastic containers.
- Palmyra bar and restaurants are licensed to a good time. Why was the new bar allowed different, Palmyra is a residential area.

Equality Monitoring

16. Gender

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>21</td>
<td>57%</td>
</tr>
<tr>
<td>Female</td>
<td>16</td>
<td>43%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>37</td>
<td>100%</td>
</tr>
</tbody>
</table>

15 out of the 21 Males and 9 out of the 16 Female who took the survey don’t think fear of personal injury/assault is a problem. 22 out these are 35 and over.

5 out of the 21 Males and 7 out of the 16 Female who took the survey think fear of personal injury/assault is a very/fairly problem. 12 of these are aged 35 and over.
17. Is your gender identity the same as you were assigned at birth? (select one option only)

<table>
<thead>
<tr>
<th>Response</th>
<th>Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>37</td>
<td>100%</td>
</tr>
<tr>
<td>No</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

Total Respondents: 37 (100%)

18. Age. Please indicate which age category you belong to: (select one option only)

<table>
<thead>
<tr>
<th>Age Category</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 - 24</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>25 - 34</td>
<td>5</td>
<td>12%</td>
</tr>
<tr>
<td>Age Range</td>
<td>Count</td>
<td>Percentage</td>
</tr>
<tr>
<td>-------------</td>
<td>-------</td>
<td>------------</td>
</tr>
<tr>
<td>35 - 44</td>
<td>7</td>
<td>18%</td>
</tr>
<tr>
<td>45 - 54</td>
<td>9</td>
<td>22%</td>
</tr>
<tr>
<td>55 - 64</td>
<td>10</td>
<td>25%</td>
</tr>
<tr>
<td>65 - 74</td>
<td>6</td>
<td>15%</td>
</tr>
<tr>
<td>75 - 84</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>85 or over</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Total</td>
<td>40</td>
<td>100%</td>
</tr>
</tbody>
</table>
19. The Disability Discrimination Act 1995 and the Equality Act 2010 defines a person as disabled if they have a physical or mental impairment, which has substantial and long-term adverse effect (i.e. has lasted or is expected to last at least 12 months) and has an adverse effect on the persons ability to carry out normal day to day activities.

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>10</td>
<td>25%</td>
</tr>
<tr>
<td>No</td>
<td>30</td>
<td>75%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>40</td>
<td>100%</td>
</tr>
</tbody>
</table>

5 out of the 10 people with Disability say there are too few family orientated venues. 6 /10 say that Fear of harassment is a problem. 9/10 say they fear of environmental damage, 7/10 they fear criminal damage, 5 / 10 say they fear of personal injury/assault.
<table>
<thead>
<tr>
<th>Nature of Disability</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical disability</td>
<td>9</td>
<td>90%</td>
</tr>
<tr>
<td>Learning disability</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Mental ill health</td>
<td>1</td>
<td>10%</td>
</tr>
<tr>
<td>Visual disability</td>
<td>1</td>
<td>10%</td>
</tr>
<tr>
<td>Hearing disability</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Other, please state</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total Respondents</strong></td>
<td><strong>10</strong></td>
<td></td>
</tr>
</tbody>
</table>
21. care for someone

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>6</td>
<td>16%</td>
</tr>
<tr>
<td>No</td>
<td>32</td>
<td>84%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>38</td>
<td>100%</td>
</tr>
</tbody>
</table>

22. Please indicate the circumstances: (select all that apply)

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children</td>
<td>4</td>
<td>67%</td>
</tr>
<tr>
<td>Adult (18 years and over)</td>
<td>2</td>
<td>33%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>
### 23. Ethnicity

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>36</td>
<td>100%</td>
</tr>
<tr>
<td>Mixed/Multiple ethnic groups</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Black/Black British</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Asian/Asian British</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Other ethnic group</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>36</td>
<td>100%</td>
</tr>
</tbody>
</table>
### 24. White

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>British</td>
<td>31</td>
<td>89%</td>
</tr>
<tr>
<td>Irish</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Gypsy</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Irish Traveller</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>
Other, please specify | 4 | 11%
---|---|---
Total Respondents | 35 | 100%

25. Mixed / Multiple ethnic groups(select one option only)

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White and Black Caribbean</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>White and Black African</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>White and Asian</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Any other mixed background, please specify</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>
### 26. Black/ Black British

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caribbean</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>African</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Any other</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Black/African/Caribbean background, Please specify</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total Respondents</strong></td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>

### 27. Asian /Asian British(select one option only)

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Pakistani</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Ethnicity</td>
<td>Response Total</td>
<td>Response Percent</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Bangladeshi</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Chinese</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Any other Asian Background, please specify</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total Respondents</strong></td>
<td><strong>0</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

28. *Chinese/ other ethnic group*

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arab</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Any other ethnic group, please specify</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td><strong>0</strong></td>
<td><strong>100%</strong></td>
</tr>
<tr>
<td>Religion/Belief</td>
<td>Response Total</td>
<td>Response Percent</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>No religion or belief</td>
<td>14</td>
<td>40%</td>
</tr>
<tr>
<td>Christian</td>
<td>18</td>
<td>51%</td>
</tr>
<tr>
<td>Buddhist</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Muslim</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Hindu</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Sikh</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Jewish</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Other, please specify</td>
<td>3</td>
<td>9%</td>
</tr>
<tr>
<td><strong>Total Respondents</strong></td>
<td><strong>35</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
30. describe yourself

<table>
<thead>
<tr>
<th></th>
<th>Response Total</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heterosexual</td>
<td>34</td>
<td>97%</td>
</tr>
<tr>
<td>Bisexual</td>
<td>1</td>
<td>3%</td>
</tr>
<tr>
<td>Lesbian</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Gay man</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total Respondents</td>
<td>35</td>
<td>100%</td>
</tr>
</tbody>
</table>
Appendix 3: Excerpt from the JSNA report.

Appendix 3: EXCERPT FROM: JSNA Refresh 2014

Health Related Behaviour and Risk Factors Domain

Alcohol

Introduction

The impact of alcohol misuse is widespread, encompassing alcohol-related illness and injuries as well as significant social impacts including crime and violence, teenage pregnancy, loss of workplace productivity, and homelessness. Levels of alcohol consumption in Warrington have risen sharply. Warrington Health, Lifestyle and Wellbeing Survey 2013 reported that 21.0% of Warrington respondents indicated that they drank more units per week than is considered safe. This represented an increase on the 2006 figure of 19.6%. Women demonstrated an even greater increase from 13.8% in 2006 to 17.4% in 2013. Variation in alcohol consumption within Warrington does not follow the traditional deprivation pattern, with people living in deprivation quintile 4 and deprivation quintile 1 (20% most deprived areas) reporting lowest levels and deprivation quintile 5 (20% least deprived areas) highest. However, when looking at alcohol-related harm by analysing alcohol-related admissions there is a strong correlation with deprivation.

1) WHO IS AT RISK AND WHY?

Despite the fact that the harms of long-term alcohol abuse are increasingly known, alcohol misuse remains a serious and growing public health issue in the UK. Whilst the latest evidence suggests that the overall trend in drinking is beginning to reduce, over the last 20 years alcohol consumption in the UK has increased and we now have a culture in which alcohol is used as never before. National data tells us that:

Men are more likely to drink more heavily than women. 38% of men and 16% of women consume more alcohol than is recommended (for men 3-4 units per day, women 2-3 units per day) (Department of Health, University of London 2005). Higher risk drinkers are at significantly greater risk of developing alcohol-related health harms.

Those from higher income households are more likely to drink at higher levels than those in lower income households. However, the most deprived 20% of the UK population suffer two or three times greater loss of life attributable to alcohol and two to five times more alcohol-related hospital admissions than wealthier areas. This pattern is reflected in Warrington.

Men and women from minority ethnic groups, are less likely to drink alcohol than the general population and are more likely to drink in smaller quantities.
few studies in the UK suggest that there are higher levels of alcohol misuse among gay, lesbian and bisexual members of the population (BMA, 2008).

Those with mental health problems are at an increased risk of alcohol misuse, with some cases of depression, anxiety, schizophrenia and suicide being associated with alcohol dependence (BMA, 2008). Alcohol-related health problems are uncommon in people with learning disabilities (BMA, 2008). Alcohol is most commonly associated with the following forms of violence: domestic violence, sexual assault, common assault, and assault with injury.

Table 1 illustrates the increased risk of developing existing health conditions in people defined as harmful drinkers.

**Table 1: Increased Risks of Ill Health to Harmful Drinkers (Anderson, 2007)**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hypertension</td>
<td>4 times</td>
<td>Double</td>
</tr>
<tr>
<td>Stroke</td>
<td>Double</td>
<td>4 times</td>
</tr>
<tr>
<td>Coronary heart disease</td>
<td>1.7 times</td>
<td>1.3 times</td>
</tr>
<tr>
<td>Pancreatitis</td>
<td>Triple</td>
<td>Double</td>
</tr>
<tr>
<td>Liver disease</td>
<td>13 times</td>
<td>13 times</td>
</tr>
<tr>
<td>Cancers of mouth, neck &amp; throat</td>
<td>4-5.5 times</td>
<td>4-5.5 times</td>
</tr>
<tr>
<td>Breast cancer</td>
<td>-</td>
<td>1.5 times</td>
</tr>
</tbody>
</table>
2) THE LEVEL OF NEED IN THE LOCAL POPULATION

2.1) Alcohol Consumption: It is estimated that 23.8% of the Warrington population, aged 16 years and above, have reported that they binge drink\(^1\). The percentage for Warrington is higher than the North West (but not significantly) and significantly higher than England. The estimated percentage of increasing risk drinkers is higher in Warrington (20.7%), but not significantly higher than the North West (19.9%) or England (20.0%). Warrington has a lower estimated percentage of higher risk drinkers (6.2%) when compared to the North West (6.6%) and England (6.8%), but the percentage for Warrington is not significantly lower (Local Alcohol Profiles for England, 2012).

A comprehensive, large scale survey of adults in Warrington was undertaken early in 2013 to update the information held from previous local lifestyle surveys that were done in 2001 and 2006. The survey collected information on a wide range of factors that impact on an individual's health and wellbeing.

Survey respondents were asked questions regarding their drinking habits. From these responses, it is possible to determine unsafe drinking levels. Latest Department of Health guidance states that in order to protect health, men should not regularly exceed 3-4 units per day, and women should not regularly exceed 2-3 units per day. At population level, and in order to derive comparative figures, the risk categories are defined based on average weekly consumption: for men 21 units or less per week is deemed 'low risk', 22 to 49 units 'medium', and more than 50 units per week is 'high' risk. For women the equivalent figures are: 14 units or less 'low risk', 15 to 35 units 'medium' and more than 35 units per week 'high' risk.

The prevalence of any alcohol consumption amongst adults is high, with men drinking more than women. 90% of male respondents and 83% of females reported that they drink alcohol at least occasionally. Directly comparable national figures are not available, the Health Survey for England results indicate that across England as a whole 87% of males and 81% females drink, but these figures are based on a 16+ population.

In terms of levels of unsafe alcohol consumption; overall, of those who drink, 21% of respondents indicated that they drink more units per week than considered safe. This represents an increase on the 2006 figure of 19.6%.

In all age-bands, and across all deprivation quintiles, a greater proportion of men than women drink to unsafe levels; (24.5% of men overall in Warrington, compared with 17.4% of women). However, the proportion of women drinking unsafely has increased considerably from the 13.8% figure reported in 2006. Highest rates of unsafe levels of alcohol consumption for both sexes are amongst the 40-64 age band (28.0% men; 21.2% women). Amongst older drinkers (aged 65+) substantially more men than women drink to unsafe levels (22.9% compared with 11.8% amongst women).

Whilst there is variation within Warrington, it does not follow the traditional deprivation pattern. For men there is no real association between deprivation and high levels of unsafe consumption. Amongst women, there is an inverse association; rates increase as deprivation decreases; the highest rate is amongst women from the least deprived quintile (21%), compared to 15% in the most deprived. This is illustrated in chart 1.
2.2) Admissions to Hospital Due to Alcohol: Hospital admissions due to alcohol are monitored using three different methods which were introduced during 2014 based on the results of a consultation led by Public Health England (PHE). The first method is alcohol-specific conditions; these include causes of admission that are wholly related to alcohol or are alcohol-specific, for example, alcohol liver disease and toxic effects of alcohol. The list of conditions that are described as being alcohol-specific altered slightly in 2014. The alterations were made based on new evidence and research that has been conducted since the original list of alcohol-specific conditions was released in 2008.

The second and third method of monitoring hospital admissions is the use of Alcohol Attributable Fractions (AAF) or conditions that are related to alcohol. AAF was created (in 2008) as it was believed that the previous method of monitoring hospital admissions relating to alcohol-specific conditions did not capture the magnitude of the problem of alcohol. The methodology for the AAF definition of alcohol-related harm was based on international evidence and takes into consideration a range of diseases that are wholly or partially related to alcohol. Conditions partially related to alcohol include hypertension, epilepsy and accidents.

However, limitations to this methodology have been highlighted in recent years, namely improvements in hospital coding of secondary causes of hospital admissions which have inflated AAF admission rates. This has meant that it is not appropriate to look at trends in the rate of admission as rates from earlier time periods are not directly comparable to recent data. Also, comparing admission rates between areas may not be advisable as different providers may be better at recording and diagnosing the full range of secondary conditions relating to alcohol. Findings from
the PHE consultation resulted in two methods to monitor AAF admissions, broad and narrow alcohol related admissions.

The broad alcohol related admissions is very similar to the previous AAF methodology, with the exception of two differences. Firstly, the AAFs have been altered based on current alcohol research. Previously AAFs were calculated for 52 conditions; 20 were wholly attributable to alcohol whilst 32 were partially attributable to alcohol. The new broad alcohol related admissions now include five new wholly attributable conditions and three new partially attributable chronic conditions. The second difference is in relation to how the admission rate was calculated, the new broad alcohol related admissions have been calculated using an up to date (2013) European Standardised Population (ESP) whilst any pre 2014 rates will have been calculated used the 1976 ESP. Therefore, any AAF analysis that has been produced before 2014 should not be compared to the broad alcohol related admissions.

However, the limitations stated above with regards to the AAF methodology also apply to the broad alcohol related admissions method; the narrow alcohol related admissions methodology was developed to address this. The narrow alcohol related admissions is a new measure that allows for accurate trend analysis as it is not affected by any changes over time in coding.

**Chart 2: Rate of Hospital Admissions for broad Alcohol-Related Harm per 100,000 Population, 2008/09 to 2013/14**

(Chart 2 illustrates that hospital admission rates due to broad alcohol related conditions had increased steadily between 2009/10 and 2011/12 nationally, before levelling out during 2012/13 followed by another increase in hospital admissions during 2013/14, the same pattern was also observed for the North West. Hospital
admission rates for Warrington had also shown a steady increase between 2009/10 and 2011/12, however positively the hospital admission rate reduced in 2012/13 and again during 2013/14. Hospital admission rates are significantly higher for men when compared to women (this is seen locally, regionally and nationally). Warrington has consistently had admission rates that were significantly higher than England during the time period presented above.

At present it is not possible to produce analysis for this indicator at a sub Warrington level due to access restrictions to hospital admissions data; however, the following chart and map is based on analysis conducted in 2011 for the first version of this JSNA chapter and displays hospital admission rates by deprivation quintile and ward. As stated previously, the new broad alcohol related admissions data cannot be compared to any previous analysis; however, the following chart and map presents the differences in admission rate by deprivation quintile and ward – it can be expected that these same patterns of hospital admissions are still likely to occur for the new broad alcohol related conditions.

When examining the rate of admissions by deprivation quintile, there are stark differences in the rate of admissions; the rate of admission for the population living in the 20% most deprived areas was significantly higher than the remaining four quintiles and quintile 2 had significantly higher admission rates than quintiles 3, 4 and 5. Quintile 5 (the least deprived quintile) had a significantly lower admission rate when compared to the other deprivation quintiles (see chart 3).

**Chart 3: Rate of Hospital Admissions for Alcohol-Related Harm per 100,000 Population, by National Deprivation Quintile (IMD 2010), Warrington, 2010/11**

(Source: NHS Warrington, Oracle Data Warehouse, 2011)
Map 1 illustrates the rate of alcohol-related admissions by electoral ward in Warrington. The wards with the highest rate of admissions are clustered in the centre of Warrington, which are also the more deprived areas of the borough. The ward of Bewsey and Whitecross had the highest admission rate in Warrington (4,138 per 100,000 population, CI² 3,965 to 4,316 per 100,000 population). The admission rate for Bewsey and Whitecross was nearly twice as high as the overall rate for Warrington.

Males had a higher admission rate than females in Warrington; this pattern was seen in each ward in Warrington. The ward with the highest rate of admissions for males was Bewsey and Whitecross, whilst, for females, it was Fairfield and Howley. When examining the most common cause of alcohol-related admissions from the list of conditions used in the AAF calculation, hypertension was the most common condition, followed by mental and behavioural disorders. Mental and behavioural disorders were the most common cause of admission in four out of twenty two wards.
The chart above illustrates the hospital admission rates for the narrow alcohol related conditions. The chart shows that for Warrington there was a steady increase in hospital admissions between 2009/10 and 2011/12, and then a decrease in the rate during 2012/13 that continued into 2013/14.

Hospital admissions due to alcohol specific conditions have shown a similar trend as the data presented above. After a year on year rise in hospital admissions between 2009/10 and 2011/12, a reduction in the admission rate was seen during 2012/13. The following chart presents this data by gender; the chart shows that both men and women from Warrington had admission rates that were significantly higher than England. The rate of admissions for males from Warrington was consistently lower than the North West; however, the rate of alcohol specific admissions for women from Warrington was consistently higher than the North West.
As mentioned previously it is not possible to compare any alcohol admissions analysis produced in 2014 onwards to any older analysis will have been based on a different definition of alcohol specific conditions. Also, at present it is not possible to conduct sub-Warrington analysis due to data access restrictions. Therefore, the following analysis presented below is sourced from the 2011 Alcohol JSNA chapter. It should not be compared to the analysis presented above, but does display differences in alcohol specific hospital admission rates by deprivation quintile and ward.

Analysis by deprivation quintile has shown that hospital admission rates were significantly higher in the most deprived areas of Warrington. Hospital admission rates were significantly higher in deprivation quintiles 1 and 2 when compared to the remaining deprivation groups as illustrated in Chart 6. Further analysis by deprivation decile has revealed that those who live in the 30% most deprived areas had hospital admission rates significantly higher than the Warrington average. Hospital admission rates were lowest in the least deprived quintile (quintile 5). However, quintiles 3, 4 and 5 had admission rates that were significantly lower than the Warrington admission rate.
Map 2 illustrates the wards with significantly higher or lower admission rates when compared to the overall Warrington admission rate. The map shows a very similar to pattern to Map 1, where the wards with significantly higher admission rates are located in the centre of Warrington.

Map 2: Alcohol Specific Hospital Admissions in Warrington per 100,000 population, Persons, 2009/10 to 2012/13
In each ward within Warrington, admissions due to mental and behavioural disorders were the most common cause of admission to hospital. Mental and behavioural disorders include acute intoxication, dependence and withdrawal of alcohol.

Chart 7 shows that admissions for acute intoxication due to alcohol (F100) were higher in the age range of 30 to 54 years. This is a differing picture from the 2011 JSNA chapter which saw admission rates due to acute intoxication highest in the younger age groups of 15 to 24 years, and then the admission rate decreased with age. Admissions for harmful use of alcohol (F101) peaked at the age band 50 to 54 years and this cause of admission was the most common type for the older age groups of 65 years and above. Admissions due to dependence syndrome due to alcohol (F102) were the most common reason for admission out of the mental and behavioural disorders category. Rates of admission were highest in the population aged 35 to 64 years.

Chart 7: Age-Specific Admission Rate per 100,000 Population for Top Three Causes of Admission for Mental and Behavioural Disorders, Warrington, 2009/10 to 2012/13

F100 - Acute intoxication due to alcohol; F101 - Harmful use due to alcohol; F102 - Dependence syndrome due to alcohol
2.3) Mortality from Alcohol: Mortality rates in Warrington from alcohol-specific causes, chronic liver disease and alcohol-attributable causes were not significantly different when compared to rates for England and the North West. Table 2 presents various sets of alcohol-related mortality data.

Table 2: Alcohol-Related Mortality Rates, 2010-12

<table>
<thead>
<tr>
<th></th>
<th>England</th>
<th>North West</th>
<th>Warrington</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Months of life lost due to alcohol</td>
<td>11.5</td>
<td>5.4</td>
<td>14.8</td>
</tr>
<tr>
<td>Alcohol specific mortality</td>
<td>14.6</td>
<td>6.8</td>
<td>20.2*</td>
</tr>
<tr>
<td>Mortality from chronic liver disease</td>
<td>15.8</td>
<td>8.3</td>
<td>22.0*</td>
</tr>
<tr>
<td>Alcohol related mortality</td>
<td>63.2</td>
<td>28.1</td>
<td>76.6*</td>
</tr>
</tbody>
</table>

*significantly higher than England

(Source: LAPE, 2014 (Local Alcohol Profiles produced by Public Health England))

Mortality from alcohol-specific conditions at ward level in Warrington was not analysed as the number of deaths were too small to produce robust analysis. Between 2009 and 2013 there were 154 deaths in Warrington where the cause of death was due to alcohol. However, analysis at ward level for mortality from alcohol-related causes has been possible by using alcohol attributable fractions. Map 3 illustrates that the wards of Fairfield and Howley and Bewsey and Whitecross and Latchford East had significantly higher mortality rates when compared to the overall mortality rate for Warrington.
2.4) Hidden Harm: In addition to the direct impact of alcohol on an individual’s health, there is the associated, but often hidden, problem of the harm to children of parents with alcohol-related problems. Evidence shows that exposure to parental alcohol abuse is highly associated with adverse childhood experiences. Estimates of alcohol-related hidden harm vary. In 2004, the Cabinet Office (Prime Minister’s Strategy Unit) report ‘Alcohol Harm Reduction Strategy for England’ estimated that between 780,000 and 1.3 million children are affected by parental alcohol problems annually (Cabinet Office, 2004).

More recently, Manning and colleagues (Manning, 2009) examined responses from both the Health Survey for England (2004) and the General Household Survey (2004) which generated consistent estimates: approximately 30% of children under 16 years (3.3 – 3.5 million) in the UK lived with at least one binge drinking parent, 8% with at least two binge drinkers and 4% with a lone, binge drinking parent. The National Psychiatric Morbidity Survey (NPMS) indicated that, in 2000, 22% of children (2.6 million) lived with a hazardous drinker and 6% (705,000) with a dependent drinker.

There are approximately 39,000 children aged under 16 years living in Warrington (ONS Mid 2012 population estimates). Applying the national estimates to the Warrington population suggests that there are just under 11,700 children in Warrington living with at least 1 binge drinker and just over 3,100 with a dependant drinker. Table 3 provides further estimated numbers of Warrington children potentially affected by parental alcohol use.
Table 3: Estimated Numbers of Under 16’s in Warrington Affected by Alcohol Use

<table>
<thead>
<tr>
<th>Estimates of Children (under 16 years)</th>
<th>Estimated Number in Warrington</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living with at least 1 binge drinker</td>
<td>11,697</td>
</tr>
<tr>
<td>Living with 2 binge drinkers</td>
<td>3,119</td>
</tr>
<tr>
<td>Living with lone binge drinking parent</td>
<td>1,560</td>
</tr>
<tr>
<td>Living with hazardous drinker</td>
<td>8,578</td>
</tr>
<tr>
<td>Living with dependant drinker</td>
<td>2,339</td>
</tr>
</tbody>
</table>

(Source: Health Survey for England, General Household Survey and National Psychiatric Morbidity Survey estimates applied to ONS Mid 2012 population estimates for Warrington)

2.5 Young People and Alcohol: The Trading Standards North West (TSNW) conducted a regional survey to understand teenage relationships with alcohol. The 2013 survey was completed by 683 teenagers aged 14 to 17 years in Warrington. The frequency of drinking alcohol in Warrington was very similar to the regional pattern. 10% responded that they drank alcohol twice or more in one week, compared to 9% North West. However, 18% responded that they never drink alcohol, compared to 32% in the North West.

Warrington had a very similar percentage of regular binge drinkers (12%) than the North West (11%). A regular binge drinker was defined as binge drinking one or more times in one week. A slightly higher percentage of occasional binge drinkers were found in Warrington (52%, compared to 43% in the North West). An occasional binge drinker was defined as binge drinking on three or less occasions per month (TSNW, 2013).

In Warrington, 11% of the TSNW (2013) survey respondents reported that they consume alcohol in pubs and or clubs, which was lower than the North West (14%). However, 19% of Warrington respondents reported that they drank alcohol outside (14% in the North West). This would indicate that a lower proportion of the young people surveyed were being served alcohol in Warrington, although this has resulted in a higher percentage drinking in public areas.

When comparing the TSNW results between 2009 and 2013, the percentage of teenagers buying alcohol for themselves has reduced, both locally and regionally. In 2009, 17% of respondents stated they had bought alcohol themselves, but this reduced to 13% in 2013.

When examining alcohol-specific hospital admission rates for under 18 year olds (crude rate per 100,000 population), there have been reductions observed at national, regional and local levels. Significant reductions in admission rates have
been seen for Warrington between 2006/07 to 2008/09 through to 2010/11 to 2012/13. During the time period 2006/07 to 2008/09 Warrington had an admission rate that was significantly higher than England and the rate was also slightly higher than the North West. By 2010/11 to 2012/13 the admission rate for Warrington had reduced significantly to a level that was similar to England (slightly higher, but not significantly) and significantly lower than the North West. For more information about young people and alcohol, please see the Children’s and Young People Substance Misuse JSNA Chapter.

Chart 6: Alcohol-Specific Hospital Admission - Under 18s, 2006/07-2008/09 to 2010/11-2012/13

![Chart 6: Alcohol-Specific Hospital Admission - Under 18s, 2006/07-2008/09 to 2010/11-2012/13](Image)

(Source: LAPE, 2014 (Local Alcohol Profiles produced by Public Health England))

Alcohol Related Crime and Disorder Data provided by the Strategic Alcohol Strategic Manager.

2.6) Crime and Disorder Data: Table 4 shows the trend over the last two years regarding alcohol-related crime for the Neighbourhood Policing Units (NPU) in Warrington – data is for period 2011/12 to 2012/13. The table shows that the number of crimes reported in the Town Centre has almost halved between the two financial years presented below. Overall the number of reported crimes has reduced by 25% between the two time periods.
Table 4: Alcohol-Related Crime by NPU in Warrington

<table>
<thead>
<tr>
<th>Area</th>
<th>2011-12</th>
<th>2012-13</th>
<th>↑ or ↓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrington Town Centre</td>
<td>464</td>
<td>246</td>
<td>↓ 218</td>
</tr>
<tr>
<td>Warrington West</td>
<td>229</td>
<td>215</td>
<td>↓ 14</td>
</tr>
<tr>
<td>Warrington Central</td>
<td>204</td>
<td>149</td>
<td>↓ 55</td>
</tr>
<tr>
<td>Warrington South</td>
<td>169</td>
<td>164</td>
<td>↓ 5</td>
</tr>
<tr>
<td>Warrington East</td>
<td>102</td>
<td>97</td>
<td>↓ 5</td>
</tr>
<tr>
<td><strong>Total reported incidents</strong></td>
<td>1168</td>
<td>871</td>
<td>↓ 297</td>
</tr>
</tbody>
</table>

Table 5 shows the trend in the number of alcohol related anti-social behaviour incidents in Warrington by NPU. The number of reported incidents of alcohol related anti-social behaviour has reduced in all areas of Warrington, especially so for the Town Centre and Warrington West. Overall, the number of alcohol related anti-social incidents reported in Warrington reduced by 14% between 2011/12 and 2012/13.

Table 5: Alcohol-Related Anti-Social Behaviour incidents by NPU in Warrington

<table>
<thead>
<tr>
<th>Area</th>
<th>2011-12</th>
<th>2012-13</th>
<th>↑ or ↓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrington Town Centre</td>
<td>529</td>
<td>458</td>
<td>↓ 71</td>
</tr>
<tr>
<td>Warrington West</td>
<td>391</td>
<td>309</td>
<td>↓ 82</td>
</tr>
<tr>
<td>Warrington Central</td>
<td>356</td>
<td>332</td>
<td>↓ 24</td>
</tr>
<tr>
<td>Warrington South</td>
<td>301</td>
<td>256</td>
<td>↓ 45</td>
</tr>
<tr>
<td>Warrington East</td>
<td>159</td>
<td>143</td>
<td>↓ 16</td>
</tr>
<tr>
<td><strong>Total reported incidents</strong></td>
<td>1,736</td>
<td>1,498</td>
<td>↓ 238</td>
</tr>
</tbody>
</table>

Footnotes

1. Definitions of drinking:

- Binge Drinker- Where a person consumes at least twice the daily recommended amount of alcohol (8 units for men and 6 units for women) in a single drinking session.
- **Increasing Risk** - Where the consumption of alcohol is between 22 and 50 units per week for males and 15 to 35 units per week for females.
- **High Risk** - Where the consumption of alcohol is above 50 units per week for males and above 35 units per week for females.

2 **Confidence Interval (CI)** - Shows the range within which it is confident that the true result from a population will lie 95% of the time. The narrower the interval, the more precise the estimate. This is necessary as studies are conducted on samples and not entire populations.

**Chart 7: Projected Trend in the Rate of Alcohol-Related Hospital Admissions, Based on Historical Admissions Data, 2009/10 to 2017/18**
Appendix 4: Warrington Community Safety Partnership

Warrington Town Centre & Stockton Heath

Crime & Disorder overview for Licensing Policy

October 2014

Purpose of briefing

The purpose of this briefing is in response to the request to the Community Safety Team from the Public Protection Unit (WBC) to create an intelligence profile on crime and incident data in the Town Centre. The purpose of the request was to support the aims and ambitions of the new licensing policy and determine the suitability of retaining/amending a Cumulative Impact Policy statement (CIP) within the new Licensing Policy.

Cumulative Impact Policies were introduced as a tool for licensing authorities to limit the growth of licensed premises in a problem area. This is set out in the guidance issued under section 182 of the Licensing Act 2003.

For the purpose of this briefing, the area within the Town Centre identified for any potential inclusion/retaining of a CIP is defined as all streets/roads/walkways contained within the area boundaries of Police Beat NN01. The briefing will consider the data and intelligence from January 2013 to August 2014 and will highlight evidence and trends to the Public Protection Unit which may inform their decision on the CIP.

The Community Safety Team (CST) and the police believes that there has been success in the attempts to address crime and disorder in the Town Centre and that there have been consistent reductions in overall Crime and Disorder, however there remains a residual level of crime which requires alternative approaches to address.

A more definitive restriction on new applications and variations would allow more effective planning of resources for critical times to assist in the orderly dispersal away from the town centre. This would also potentially make the area a safer more attractive place to visit.
Evidence

Evidence over the last several years has indicated a consistent decrease in crime and disorder across the Town Centre which is reflected locally and nationally.

For the purpose of this briefing the CST has reviewed intelligence and data relating to crime and Anti-Social Behaviour (ASB) for the period Jan – Dec (23:00-07am) 2013 and Jan to Aug (23:00-07am) 2014.

These hours are based on the assumption that persons in the defined area are more likely to be associated with the Night Time Economy (NTE) and Alcohol.

Town Centre Night Time Economy (NTE)

Section 27s (directive to leave a locality to an individual aged at least 10 who is in a public place and who presents a risk of alcohol related crime and disorder). The police use this power as a tactic to divert escalation of ASB and crime in the town centre.

- Predominately issued in the town centre, higher proportion between midnight and 07.00am.
- The main stop areas are Bridge Street and Friars Gate.
- There were 313 stops (Jan – mid October 2014) and 846 stops in 2013. (Note: possible under reporting as forms are processed).

If a similar trend continued this would mean a projected decrease of approximately 50% in 2014.

Anti-social behaviour

<table>
<thead>
<tr>
<th>Period</th>
<th>All reported ASB incidents (TC NPU)</th>
<th>Incidents between 23:00 and 07:00am</th>
<th>% occurring between 23:00 and 07:00am</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan to Dec 2013</td>
<td>1049</td>
<td>466</td>
<td>44%</td>
</tr>
<tr>
<td>Jan to Aug 2014</td>
<td>704</td>
<td>330</td>
<td>47%</td>
</tr>
</tbody>
</table>

- If a similar trend continues for the remainder of 2014 this would mean a projected 495 incidents between 23:00-07:00am, which would indicate a slight increase on the previous year.
- For the period Jan to Aug 14, between 23:00–07:00am, the majority of ASB occurred on Bridge Street (41%), Academy Way (12%), Friars Gate (10%). These were the highest locations in 2013, with similar percentage breakdowns.
- The graphs 1 and 2 below show the percentage breakdowns of ASB types between 23:00-07:00am, the highest of which is BN nuisance.
Analysis of 2014 ASB data Jan to Aug (23:00-07:00am) shows that, 65% (9 incidents) of Environmental, 42% (81 incidents) of Nuisance and 45% (55 incidents) of Personal, occurred between 03-07am.

<table>
<thead>
<tr>
<th>Period</th>
<th>All reported crime incidents (TC NPU)</th>
<th>Incidents between 23:00 and 07:00am</th>
<th>% occurring between 23:00 and 07:00am</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan to Dec 2013</td>
<td>1226</td>
<td>458</td>
<td>37%</td>
</tr>
<tr>
<td>Jan to Aug 2014</td>
<td>634</td>
<td>154</td>
<td>24%</td>
</tr>
</tbody>
</table>

If a similar trend continued for the remainder of 2014 between 23:00 and 07:00am, this would mean a projected 231 which indicates a significant reduction on the previous year.

The majority of incidents between 23:00-07.00am occur on Bridge Street (31%), Friars Gate (27%) and Academy Way (9%). These locations were also the highest in 2013.

For 2013 and 2014 (Jan-Aug) the, top 5 crime descriptions between 23:00-07am are shown in graph 3.

**Graph 3**
Incidents of theft predominately occur between the hours of 23:00–03.00am and reduce significantly between 03-07am.

Combined incidents of crime and ASB, show the peak hour is between midnight – 01:00am for 2013 and 2014.

The graphs (4 and 5) below show the percentage of crime between 23:00-03am and 3:00-07am. On average, just over a third of crime and ASB occurs between 03-7am.
As previously stated the above suggests that the town centre has improved in relation to crime and disorder and indeed there has been a steady decline for several years.

However, further examination of the data and intelligence highlights a different trend. Whilst there has been a belief that there are time points (2am/3am) at which the crime and disorder increases, this has always been measured by volume. Analysis has always demonstrated that this is difficult to prove as demonstrated above, which clearly show a higher percentage of crime and ASB before 3am in 2013 and 2014 (Jan - Aug).

Analysis has been made of the potential aggregated premise capacity by the terminal hour and the hourly crime and disorder rate over the period. This highlights a different picture, the increase in crime and ASB per thousand population (potential total capacity) is significant and clearly demonstrates a 3am ‘time point’ when the increase commences. It demonstrates that the rate of crime and ASB increases as capacity reduces. *Note the graphs show a direction of travel only. Analysis of Graph 6 highlight this point:

*Note: the capacity at 12am uses the capacity/terminal hour of 1am for the purposes of providing a rate per 1,000. The rate per 1,000 at 6.30am is calculated using incidents between 6am and 7am. 2 out of the 3 crimes were affected by alcohol, remainder incidents were ASB.

Graph 6
• The top locations for crime and ASB between 03-07am are Bridge Street, Friars Gate and Academy Way.

The above analysis acknowledges that a small percentage of drinkers will remain in the town centre beyond the stated terminal hour ‘drinking up’ and to access late night takeaways, but it is reasonable to assume that the majority of drinkers will leave the town after leaving the last premise they visited.

It should be noted that the crime and disorder reported in this briefing relates also to late night takeaways, no distinction is made between crimes occurring at the these locations or locations primarily serving alcohol due to the close proximity and same client group between premises. It is reasonable to assume that late night takeaways in the town centre act as (during the hours analysed) ‘crime generators’. Crime generators, in crime prevention terms, are places to which large numbers of people are attracted for reasons unrelated to criminal motivation which provide large numbers of opportunities for offenders and targets to come together in a time and place which can produce crime or disorder.

**Conclusion Town Centre**

It is difficult to identify what is considered to be, nor is there a definition of, acceptable levels of crime and disorder. The desirable state would be none but it is reasonable to accept that a town centre evening economy is likely to attract a certain amount of crime and disorder. As previously stated the evidence does suggest a residual level of crime of crime and ASB.

Despite reductions in recent years there is little evidence to suggest there will be any further reductions, indeed crime and ASB figures are appearing to plateau, and may increase as the terminal hours of individual premises are getting later and new premises try to find a niche in what is a declining market.

In recent years it has been evident that the town centre clientele have been arriving in the town at much later times than pre the Licensing Act 2003 (see CCTV footage) and it is widely acknowledged (see House of Commons Alcohol Health Committee Report Jan 2010 Sec 8)* that nationally there has been a propensity for town centre evening visitors to consume alcohol either in the home or a local licensed premises (pre loading). There is no reason to suggest Warrington Town Centre is any different
and this is supported by local knowledge of police officers and taxi drivers who operate within the town centre area.

As the town centre area identified for the purpose of this briefing is almost exclusively involved in the supply of alcohol during the times (as previously stated) it is reasonable to assume that the sale of alcohol from two or more premises is a significant factor in the crime and disorder perpetrated in the area.

The changes in the law allow the Licensing Authority to be more flexible with the interpretation of a CIP area and indeed other authorities have Special Cumulative Impact Areas (SCIP) e.g. Liverpool for areas which they consider to have unacceptable levels of crime and disorder. This would appear to be a local decision.

The Community Safety Team and the police consider that there is a residual level of crime and disorder in the town centre and further, sees the continuation/improvement in one or more Cumulative Impact Policy areas or the zoning of discrete areas of the town centre as being desirable along with other measures to improve the town centre.

**Palmrya Square/Cultural Quarter**

Palmrya Square/Cultural Quarter has only recently emerged as an alternative destination within the town centre but there is insufficient information to make an informed analysis of the area.

* www.publications.parliament.uk/pa/cm200910/cmselect/cmhelath/151/15112.htm

**Stockton Heath**

The data reviewed relates solely to London Road – all hours.
Between Jan – Aug 2014, there were 40 incidents of crime, 7 between 23:00-07am and 38 ASB incidents, 9 between 23:00-07am.

The peak hours for 2014 are 23:00, 19:00 and 17:00. The peak hours for 2013 were 17:00 and 22:00.

There is insufficient crime and disorder evidence to support a CIP within Stockton Heath.

Contact Officers for this report:

Davina Hall, WBC Performance Analyst.

Doug Ryan CSP Manager

Richard Spedding Police Partnerships Insp
Appendix 5: The role and effectiveness of other measures in mitigating the Cumulative Impact.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Review</th>
<th>Outcome</th>
</tr>
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<tbody>
<tr>
<td>Temporary closure of premises</td>
<td>Two premises have been closed since 2005 using Section 161 powers under the Licensing Act 2003. The powers are not widely used and their use must be proportionate to the circumstances given the resultant impact on the business.</td>
<td>A Closure order is designed to address imminent risk of disorder at a premise or to prevent a public noise nuisance. It can be successful in addressing such risks and it may act as a wider deterrent. It is however a punitive measure targeted act a particular premise, which is likely to result in economic loss. Its use must therefore be proportionate to the circumstances at the time. It may therefore not, in itself, achieve a significant reduction in crime and disorder within an area with a number of premises licences.</td>
</tr>
<tr>
<td>Review of problem premises</td>
<td>Since 2005 17 licensing reviews and 2 summary reviews have been instigated due to the effect on the promotion of the Crime and Disorder objective. Of these 19 reviews 2 have been held within 2013 to date (July 2013).</td>
<td>The National Statistics Alcohol, Entertainment and Late Night refreshment statistics fro 2009/10 reveal that 1,334 reviews were held in that year. That equates to approximately an average of 4 reviews per authority. However, it is evident that the number of reviews taken by an individual authority are heavily weighted towards the larger metropolitan authorities and London authorities. The number of reviews taken in Warrington is comparable with similar authorities. Reviews can be an effective measure in tackling problems at a particular premise; they may also promote</td>
</tr>
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</table>
wider compliance by showing that any problems at a premise will be challenged. They cannot, however, address crime and disorder associated with a large number of licensed premises in isolation. Whilst they can also lead to improvements at the point of supply they are also unlikely to influence demand or change the characteristics of the area.

**The introduction of best practice schemes**

The strategic intelligence group, which comprises a wide range of partners, has been working closely with the licensed trade for a number of years, which has seen the introduction of the ArcAngel standard. The Association of Town Centre Management has recently acknowledged this a potential exemplar scheme and it has previous held exemplar status. All town centre licensed premises are planned to benefit from a detailed risk rating and the Lower Bridge Street Area is also to benefit from investment to lift the appearance of the area. It is proposed that the licensing trade respond by agreeing common frontages to broaden the appeal of the area. A Town centre pubwatch scheme is in place.

There is an ongoing commitment to work with the licensing trade. Discussions have taken place regarding the introduction of a voluntary scheme to bring back the licensing hours but no overall agreement could be reached as the trade felt that a voluntary scheme would not protect them from any premises, which suddenly decided to increase its hours.

**CCTV**

CCTV cameras are positioned around the town centre at various locations. The images are received in a central control room by dedicated CCTV operators 24.7. They are recorded on a hard drive.

The Community safety partnership has made good use of CCTV and the town centre benefits from good coverage. The Police have submitted CCTV images as part of their evidence.

**Serving alcohol to someone who is**

This forms part of the work of the Alcohol Harm Reduction Strategy and requires evidence at point of

Enforcement will need to be based on sound intelligence and an evidence base is being developed to direct
### Taking action on underage sales

The Council has a dedicated Under Age Sales Coordinator who works closely with partners, including the licensing trade, the Police and local schools and colleges. 77 members of the licensing trade have been trained between 2011-2012, 246 restorative justice sessions for the use of fake ID have been held and 129 fake documents have been processed in 2013 to date (May 2013). 19 targeted test purchase operations were conducted between 2011-2012 with 9 failures.

(N.B) the vast majority of RJ sessions (212) took place in 2011 when the scheme commenced.

The Strategic Partnership has demonstrated there commitment to working with the trade to tackle the issue of underage sales and the situation is much improved since 2005. The number of young people consuming alcohol has dropped according to the Trading Standards Northwest survey, although hospital admissions remain relatively high. It is acknowledged that the off sales sector whilst seeing significant reductions in risk rating and failed test purchases remain just as significant as the on sales sector.

### Directions to leave

The Violent Crime and Reduction Act 2006 provides the Police with the power to issue a direction to an individual over the age of 16 to leave a public place, when the presence of the individual in that locality is likely, in all circumstances, to cause or contribute to alcohol related crime or disorder in that locality, or to a repetition or continuation there of. The direction will prohibit their return to that locality for a specified period not exceeding 48 hours. During the period 1st January 2012 and 31st January 903 direction to leave notices were issued. The vast majority of these were issued in the early hours of Saturday and Sunday morning. The following breakdown of top locations was recorded:-

- Bridge Street 297
- Town Centre 81

Directions to leave are designed to remove people from the area before any significant issues arise. The Police have utilised their powers to remove people from the town centre. The key locations are all predominantly in the town centre and they were largely issued during the period of the night-time economy.
<table>
<thead>
<tr>
<th>Address</th>
<th>Location</th>
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<tbody>
<tr>
<td>Academy Way 78</td>
<td></td>
</tr>
<tr>
<td>Friars Gate 55</td>
<td></td>
</tr>
<tr>
<td>Barbauld Street 51</td>
<td></td>
</tr>
<tr>
<td>Scotland Road 20</td>
<td></td>
</tr>
<tr>
<td>Winwick Street 10</td>
<td></td>
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