
**Manchester City Council
Report for Resolution**

Report to: Economy Scrutiny Committee – 5 March 2014

Subject: District Centre Policy Co-ordination

Report of: Head of Policy, Partnerships and Research, Head of Planning, Licensing and Building Control

Summary

The committee requested a report to consider how the Council can take a more holistic approach to supporting district centres to ensure that local issues are taken into account, particularly in planning and licensing decisions. There is a particular concern about the growing number of the types of businesses that can have a detrimental impact on a district centre, including hot food outlets, off licenses, businesses offering very high interest loans, shisha bars and betting shops.

The report explains the policy tools that the Council can use to manage District Centres and sets out how work across the Council and its partners is co-ordinated to maximise its effectiveness.

Recommendations

To note the contents of the report and the complementary proposals to further develop Council policy in this area.

Wards Affected: All

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Background documents (available for public inspection):

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

None

1.0 Introduction

- 1.1 In January 2013, this committee considered a report that assessed the potential for tighter controls on hot-food takeaways and off licences through the Council's Planning and Licensing powers. The committee's discussion identified a range of other uses that had appeared to be increasing in number. It was felt that any assessment of District Centre vitality and viability should therefore look at pay-day loans companies, bookmakers, pawnbrokers and shisha bars, alongside hot-food takeaways and off licences. The issue re pay day loans and bookmakers was also considered by Economy Scrutiny in October in the context of financial inclusion.
- 1.2 This report considers the scope to manage these uses through Planning and Licensing, including consideration of the impact of potential changes that may emerge in national legislation and the steps that may be necessary to effect any preferred changes in the Council's policy.

2.0 Background

- 2.1 District and Local Centres are an important element of the Council's vision to create neighbourhoods of choice. Centres provide a place in which residents can access important local services in a sustainable and convenient way, whilst also providing a location which reinforces people's sense of community cohesion. The City Council uses a range of functions to ensure that the City's centres are attractive, well-used and well-managed. This includes planning, licensing, regeneration activity and neighbourhood management to ensure day-to-day quality of place is maintained. This requires a co-ordinated effort across Council services and other service providers, such as the police.
- 2.2 The vision for Manchester's centres, as contained in the Core Strategy, Strategic Regeneration Frameworks and local plans, emphasises support for on-going investment, seeking to bolster the quality of services available and maximise opportunities for employment creation through commercial activity and provision of services close to homes and local communities. Within this vision, centres should become places that support a variety of complementary but mixed uses. However, control is also needed to ensure that the mix of uses is appropriate; there are uses that can have a detrimental impact on the character of both centres and their wider neighbourhoods. The Council has a vital role in exercising this control. The regimes through which this is done are legalistic, and this can make processes and their outcomes unclear to people unfamiliar with the details of the relevant legislation and policy. Therefore, whilst an appropriately robust policy position is important, consideration of how best local stakeholders (including residents and members) can effectively engage with planning and licensing proposals may also be worthwhile.

National Trends

- 2.3 Nationally, there has been considerable debate over the 'high street', seeing its recent decline as something of a bell weather of wider economic issues. However, the changes to town centres' fortunes are not just an economic

symptom, but are also a result of wider forces. Certainly, spending has fallen, reflecting the decline in many households' real incomes through the recent recession and the fact that pre-recession spending was partially due to unsustainable levels of debt. At the same time, though, alternative locations have emerged to challenge the role of the traditional high street including out-of-centre retail parks and large regional shopping centres. These have aligned well with the lifestyles of increasingly mobile shoppers. More recently, the ability to shop on-line has initiated a fundamental change to the way in which people shop. Non-store sales (predominantly online) as a proportion of all retail expenditure have grown from under 6% in 2006 to 12% in 2013 and now account for approximately £34 billion per annum nationally. All these factors are impacting on the retailing role of centres. At the same time the increasing presence on the high street of bookmakers, pay-day loans companies, pawnbrokers and hot food takeaways is increasingly a concern for some local authorities.

Manchester Trends

- 2.4 Manchester has a different hierarchy to many areas, in that it has a City Centre of regional significance, no town centres and 17 District Centres that vary significantly in their scale and the nature of their retail and other service offer. A Survey of all 17 District Centres in Manchester was carried out in 2009 and again in 2013. During this period the number of shops in District Centres increased and vacancies declined, bucking the national trend. Occupied shop units remained the same or increased in 14 out of 17 centres with the largest increases in Openshaw, Levenshulme and Harpurhey. Vacancies fell from an average of 10% in 2009 to below 6.5% in 2013. The highest vacancy rates occurred in Cheetham and Gorton (19%) and the lowest rates in Baguley, Fallowfield, Didsbury and Rusholme.
- 2.5 The greatest loss from centres was pubs and bars (A4 uses), which decreased by 18. Levenshulme experienced the greatest drop from 14 to 8. There are now 4 centres with no A4 uses - Baguley, Eastlands, Hulme and Longsight.
- 2.6 During this period financial and professional services (A2) increased from 12% of all uses to nearly 14%. This is a broad planning use class including banks, building societies, estate agents and also bookmakers, pawnbrokers and pay-day loans companies. Of the 44 new A2 uses 6 were bookmakers, 5 pawnbrokers and 2 companies offering pay-day loans (although one of these was a credit union). Hot food takeaways increased from 7% in 2009 to nearly 9% of all District Centre uses in 2013. Centres with the highest number of hot food takeaways include Levenshulme, Rusholme, Chorlton and Fallowfield. Increases between 2009 and 2013 occurred in 13 centres with the largest increases in Levenshulme and Chorlton. Only Rusholme experienced a decline. The survey results show shisha bars are concentrated largely in Rusholme, and increased from 1 in 2009 to 9 in 2013.
- 2.7 Across the City's District Centres there are examples of successful intervention on the part of the City Council and other stakeholders. The

improvements to Openshaw District Centre in terms of retail offer, environmental quality and vitality have been driven by physical regeneration, led by the Council. These improvements will be key to the attraction of further investment to the wider neighbourhood. In Levenshulme the Council is less directly able to manage the development of the centre due to its limited land interests in this area. However, alongside strong commitment to improve the centre from local traders and residents, the Council has supported and contributed to the improvements seen here over recent years.

3.0 District Centre Management

- 3.1 District Centres are well-established priorities in the Council's strategies for place, and its policy and implementation response is co-ordinated across a number of service areas. District Centre plans are either in place or being delivered for all centres across the City. These plans provide a means of co-ordinating action across a number of policy areas, including investment, planning, licensing and neighbourhood management. Where the Council has land interests, it has successfully cultivated strategic relationships to drive delivery, evinced in North City and Wythenshawe through Halbro and St Modwen, respectively. However, it is suggested that consideration is given to the desire to clarify the Council's policy position in circumstances where it acts as land owner or investor. It may be prudent and consistent to develop an agreed approach that ensures that the Council's policy aims are reflected in its commercial and investment activity, as well as its regulatory policy decisions. Where the Council is less directly involved, it has still worked to develop delivery partnerships with local traders, markets and local stakeholders that promote strategic action.
- 3.2 The approach to District Centre management has been reinforced through the establishment of the Growth and Neighbourhoods Directorate. Neighbourhood Management is co-ordinated with relevant regulatory regimes, both within the Council and those managed by partner organisations such as the Police, so that a clear strategic direction is applied where possible. Advice on applications for licenses and planning consents ensure that management issues can be fully considered in decisions, where appropriate. This advice also ensures that the design of new development can take on board opportunities to enable more effective District Centre management once the development is operational.
- 3.3 Neighbourhood Management officers work to foster effective collaboration with District Centre stakeholders, particularly engaging local traders and other businesses where co-ordination can deliver mutual benefits.

4.0 Key Issues

- 4.1 District Centres are the commercial and service focus for Manchester's neighbourhoods. To be successful places, it is essential that they continue to attract visits from local residents. As policy is developed to promote an appropriate balance of uses within District Centres, it is important to reflect an

overall vision that will continue to underpin the attractiveness and importance of these locations as foci for activity.

- 4.2 This is a broad and strategic task that goes beyond an assessment of potentially problematic uses, with which this report is primarily concerned. The approach to such uses will be significantly influenced by the Council's wider ambitions for centres.
- 4.3 There are a number of distinct issues associated with the uses that are the focus of this report.

Vitality and Viability

- 4.4 The Council's aim is that Manchester's centres are vibrant with a mix of uses that reinforces their character. An excess of the uses covered by this report could undermine the character of a centre, either at important times of the day. For example, shuttered units during the day can reduce footfall. The economic downturn has left vacancies in the core of centres and modern retailers are demanding unit sizes and formats not often available on the high street and are choosing to leave centres creating opportunities for other uses.
- 4.5 Some uses are associated with impacts on local amenity that can be undesirable and increase the cost of neighbourhood management, such as litter from hot-food takeaways and disturbance from licensed premises. This can also have implications for the resources needed to maintain the local environment. There are particular concerns about the cumulative impact that a concentration of these uses can have on the character of a centre. Many District Centres support housing alongside commercial activity and the Core Strategy promotes further residential development. This is only realistic if an attractive living environment can be maintained.

Health and Safety

- 4.6 Certain activities can be harmful to health and safety. This includes behaviour associated with the premises in question, such as antisocial activity associated with licensed uses, or longer term harm caused by activities such as drinking and smoking. There are neighbourhoods in the City where harm caused by unhealthy lifestyle choices is a significant aspect of deprivation, and so a priority of the Council is to support more healthy lifestyles.

Financial Inclusion

- 4.7 The current financial circumstances have placed considerable pressure on many people, particularly families in the city that are less well-off. There are a number of commercial activities that are perceived to exacerbate the challenges these households face by promoting financial services that are attractive in the short-term but present significant long-term challenges to financial inclusion. These include pay-day loan companies, pawnbrokers and bookmakers. The Council is considering ways to support households

managing their finances in these challenging circumstances, and is therefore concerned that new businesses in the City do not jeopardise these efforts.

5.0 Legal and Policy Background

- 5.1 The regulatory controls that the Council may wish to impose on new development within centres are primarily exercised through its planning and licensing functions. It is important to be aware of the legal and policy frameworks associated with these regimes, as these influence the realistic scope and nature of control.

Planning

- 5.2 Planning policy is defined both nationally and locally, with the requirement that local policy is in accordance with national policy. National policy is currently consolidated within the National Planning Policy Framework. With regard to centres, this sets out aims to maximise commercial investment and ensure that centres are the first location considered for “town centre uses” (shops, offices, leisure and other services likely to attract large numbers of visitors). Paragraph 23 states that Local Planning Authorities (LPAs) should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.
- 5.3 The government has a stated aim of simplifying the planning process so as to promote investment and economic growth, and to do this for town centre development they have introduced a number of changes to planning legislation that enables development without planning permission, with further similar changes being considered at the moment. Changes to permitted development rights introduced in May 2013 permit the temporary change of use for up to 2 years from shops, financial and professional services, restaurants and cafes, bars and pubs, and hot food takeaways, and from other town centre uses to shops (including off-licenses), financial and professional services (bookmakers, pawnbrokers, payday loans companies), restaurants and cafes (which could include shisha bars). The Government recently consulted on further changes to permitted development rights allowing a retail use (A1) to change to a bank or building society (A2). The Council expressed concerns about the loss of control that could prevent any subsequent move within the A2 use class such as bookmakers. The effect of these changes is to make control by the local planning authority more difficult, as some of the changes that it may feel threaten the character of a centre will no longer need planning permission.
- 5.4 Local planning policy is set out in the Manchester Core Strategy, which reiterates the broader strategic aims within the National Planning Policy Framework and also suggests where and how much retail development should be accommodated up to 2027. Policy C2 District Centres seeks to prioritise retail, health facilities, public services, leisure activities and financial and legal services within centres which make a positive contribution to the vitality and viability of centres. It expects development to contribute positively to the diversity and mix of uses within centres without undermining their

primary retail function. Policy C10 relates to Leisure and the Evening Economy, and provides a basis to manage such uses to prevent an over-concentration and harm in terms of amenity, vitality and viability and highway safety.

Licensing Policy

- 5.6 The Licensing framework in relation to the types of premises detailed in this report is contained within two primary pieces of legislation: the Licensing Act 2003 and the Gambling Act 2005. Each requires the Council to develop a policy statement, which must be periodically reviewed: Licensing Act (reviewed every 5 years minimum) and Gambling Act (every 3 years minimum).

Licensing Act 2003

- 5.7 Licensable activities within the Licensing Act 2003 are defined as the following:

- The sale and supply of alcohol;
- Regulated Entertainment (live and recorded music, dancing, exhibitions of films, plays, boxing and wrestling, indoor sports);
- Late Night Refreshment (provision of hot food or drink between 11pm and 5am)

- 5.8 The Council as the Licensing Authority must carry out its functions (in licensing those activities) in order to promote the four Licensing Objectives:

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

“Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times” (Statutory Guidance).

- 5.9 The last full review of the Council’s Statement of Licensing Policy was conducted in 2011, although it was revised in 2013 to incorporate the special policies mentioned above. It is intended to carry out an overall review of the Policy in 2015.

- 5.10 Full details of Manchester’s Licensing Policy are contained in Appendix 1

Gambling Act 2005

- 5.11 Gambling regulation is structured differently to that for alcohol, in that the Gambling Act 2005 provides a level of national regulation through the establishment of the Gambling Commission, which is responsible for the

regulation of gambling operators, as well as personnel working in the industry.

- 5.12 All individuals or companies who operate gambling companies must adhere to the Commission's Licence Conditions and Codes of Practice (LCCP), which establish the necessary policies and procedures that must in place for each sector of the industry i.e. betting, casino, bingo etc. Therefore, all betting shop operators must have the same policies and procedures in place irrespective of where the actual betting shop premises is located in the country.
- 5.13 The Council, as a Licensing Authority, is responsible for licensing gambling premises within its area i.e. Manchester. In exercising its licensing function, the Council must have regard to the licensing objectives set out in the Gambling Act 2005:
- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 5.14 Concern has been raised nationally regarding the addictive nature of B2 gaming machines, commonly referred to as Fixed Odds Betting Terminals (FOBTs), which may only be provided in betting shops. These are high stake / high prize money machines, notoriously referred to as "the crack cocaine of gambling", with a maximum stake of £100 and a maximum prize of £500.
- 5.15 These concerns were raised in Parliament in January 2014 as part of a motion proposed that would enable local authorities to impose limits on the numbers of B2 machines within their local area, with one MP stating that "the top 50 unemployment black spots profited from FOBTs to the tune of £173 million last year, while those in the 50 lowest unemployment areas made a profit of only £44 million", highlighting a disproportionate effect on areas of high deprivation.
- 5.16 The motion was defeated 314 to 212, with the Government announcing that they are awaiting the results of research, due later this year, into the effect of such machines before they decide on any changes to the regulation of B2 machines. The research is being conducted by the Responsible Gambling Trust, the leading charity in the UK committed to minimising gambling related harm. In the meantime, bookmakers are seeking to implement a new voluntary code on the responsible use of FOBTs allowing them to set their own monetary and time limits. When their chosen limit is reached, responsible gambling messages will appear on screen and staff will be alerted.
- 5.17 It is recognised that there is a growing concern regarding the perceived growth in the number of bookmakers within Manchester. However, Licensing

records show that the number of bookmakers in the city has increased by only 4 (from 115 to 119) between December 2007 and January 2014.

- 5.18 However, although the overall increase in number is relatively small, there has been a change in the dispersal / location of betting shops, particularly within the City Centre, with the general trend (also reflected nationally) being the clustering on high street locations. Ironically, this is clearly demonstrated on High Street between the Arndale Centre and Debenhams, where 3 betting shops are located in direct proximity to one another: Coral (granted 2007), Betfred (2010), William Hill (2013). Similar clustering also exists around Piccadilly Gardens.
- 5.19 Further, the number of betting shops with postcodes in M1 to M4 areas has risen from 23 in December 2007 to 33 in January 2014.
- 5.20 It should be noted that the “demand” for licensed premises cannot be taken into consideration in the determination of either Gambling Act or Licensing Act applications. The ‘demand test’ did exist for gambling premises prior to the implementation of the Gambling Act in 2007, which prevented the proliferation of betting shops within close proximity to one another. Attempts in other areas of the country to refuse new licences being granted to betting shops have failed on appeal at the courts; typically due to a lack of evidence which would justify that granting a licence would not be reasonably consistent with the licensing objectives and particularly given that the starting point for the authority is that it must “aim to permit” gambling.
- 5.21 The Council’s Gambling Policy is scheduled to be reviewed in 2015 in accordance with the statutory triennial requirement.

Co-ordination of Planning and Licensing

- 5.22 In the implementation of any measures to improve co-ordination in the Council’s approach to District Centre management, effective enforcement activity across all regulatory regimes is essential.
- 5.23 Planning and Licensing are separate processes within the Council, which is essential on the basis of the separate legal instruments through which the regimes are ultimately governed. However, the issues that they manage are often linked, and the implementation of these functions must be well co-ordinated. When last considering this issue, the committee requested further consideration of how this co-ordination could be improved.
- 5.24 Since this time, the Council has undergone service redesigns that have brought management of licensing activity under the Head of Planning and Building Control (therefore now Head of Planning, Licensing and Building Control). Among other improvements to the overall delivery of Council services, new arrangements have provided the opportunity to review how the two processes can be fully co-ordinated in the delivery of wider Council aims.

5.25 Licence applications are subject to joint scrutiny by a group formed from representatives of the Responsible Authority partner agencies, which include Planning and Licensing. This group meets fortnightly to ensure a co-ordinated approach towards individual licence applications and existing licensed premises, including sharing of relevant information.

5.26 Table 1 below summarises the planning and licensing controls that exist as they relate to particular uses.

Table 1: Summary of Planning and Licensing controls

Use	Planning	Licensing	Impact of policy measures
Bookmakers, Pay-day loans companies and pawnbrokers	Included in the same use class as banks, solicitors and estate agents. Planning permission is not required for change of use from restaurant/café, pub/bar or hot food takeaway. Temporary change of use for two years for units up to 150sqm from any other 'town centre' use.	Licence required under GA2005 for bookmakers only	Create a clearer plan for the development of these uses, which will make decisions to delivery this plan more robust. Use of an article 4 direction could increase the proportion of development needing planning permission.
Shisha bars	Issue of indoor smoking not covered by planning legislation.	No licence required for shisha although premises commonly apply for licence under LA2003 for late night refreshment and/or regulated entertainment provided (alcohol does not typically feature)	Scope for enhanced enforcement programme to address premises breaching necessary operating standards.
Hot-food Takeaways	Planning permission required	Licence under LA2003 required to open later than 11pm	Specific policy to control the quantity and location of these uses will enable more effective policy control.

Off licences	Included in the same use class as shops, therefore control within centres is difficult on planning grounds	Licence required under LA2003	Review of mix of uses within centres could promote an improved balance, introducing new uses rather than potentially harmful commercial uses such as off licences.
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6.0 Approaches being taken by other Authorities

6.1 Local authorities have started to use planning powers to control some of the uses in this report.

Supplementary Planning Document (SPD)

6.2 There are a number of councils that have prepared Supplementary Planning Documents to complement Local Plan policies and provide further guidance on the vitality and viability of centres including the location of non A1 retail uses and Hot Food Takeaways. In Greater Manchester, Salford has a Hot Food Takeaway SPD adopted in 2007 and currently being updated, Oldham has a Vibrant Centres adopted SPD covering hot food takeaways and other issues, Bolton has a Location of Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways in Urban Areas SPD and Trafford has a Planning Guidance Hot Food Takeaways document.

Article 4 Directions

6.3 Southwark Council in London introduced two Article 4 Directions relating to A2 Uses (financial and professional) within protected shopping frontages. These directions require planning permission for development that is permitted ordinarily. The Council was becoming increasingly concerned about the impact of bookmakers, pay-day loans companies and pawnbrokers on the vitality of its high streets. The Article 4 Direction covers all A2 uses, including banks and building societies. This article 4 direction was introduced without a notice period, with the effect that any landowner losing income due to the refusal of planning permission is entitled to compensation for the full cost of this decision.

6.4 London Borough of Barking and Dagenham, also in London, consulted in June 2013 on a non-immediate Article 4 Direction withdrawing permitted development rights for change of use from A3, A4 and A5 to betting offices. If confirmed this will come into force in May 2014, following a year's notice (required to avoid claims for compensation). To complement the Article 4

Direction Barking and Dagenham have prepared a draft SPD advising on the appropriate location and concentration of betting offices.

- 6.5 A collective of 14 London boroughs are also exploring whether provisions in the 2007 Sustainable Communities Act could enable them to achieve effects similar to article 4 directions but without the same procedural delay.

7.0 Planning and Licensing Policy Options

- 7.1 The options below set out ways in which the Council could strengthen its policy position in relation to licensing and planning, which would in turn strengthen its ability effectively manage centres in Manchester. The Council's approach to District Centres is to employ all the levers it has to deliver positive outcomes, in line with its broader strategic vision. As part of this approach, Planning and Licensing measures are considered where these will complement the overall objectives related to District Centres. The measures that can be considered through these regimes are set out below.
- 7.2 It is also clear that the 'high street' is at a point of transition in response to cultural, technological and economic changes. To ensure that Manchester's District Centres retain their important role within their neighbourhoods, it may be appropriate to undertake an overall reappraisal of District Centre policy. Measures that deal with the specific uses covered in this report would need to be progressed alongside and in a manner that complements work to review Council policy, such as would be considered through a review of the Local Plan.

Local Plan Review

- 7.3 At the strategic level, the Manchester Core Strategy policy on town centre uses could be reviewed in light of the changes to shopping patterns nationally and locally. This would support wider strategic planning work that will look at a review of Manchester's Core Strategy. The review is primarily driven by a need to address changes related to housing policy and delivery, but will be an opportunity to also consider other areas of policy.
- 7.4 Despite growth in the number of bookmakers, payday-loan companies and pawnbrokers this has not been to the detriment of A1 shop units which have also grown during this period.

Supplementary Planning Document

- 7.5 Strategic policy changes can be further developed by a Supplementary Planning Document to provide greater detail on Local Plan policies. This has been most effective through an approach that promotes the overall vitality and viability of centres, rather than just focusing on specific uses. Through a more holistic approach the Council could look at a range of issues and ensure that increased control over certain uses complements an overall strategy to enhance centre vitality.

- 7.6 Supplementary Planning Documents could be prepared relatively quickly. They provide a policy basis for planning decisions, but the strength of this policy if challenged will depend on the strength of its connections to a parent policy within the Local Plan. The Manchester Core Strategy has a policy on Leisure and the Evening Economy, and this could provide a basis for more detailed policy within a Supplementary Planning Document. However, as noted, it may be more effective to align a Supplementary Planning Document with wider District Centre issues.

Article 4 Direction

- 7.7 Where the planning system does not require planning permission for a change of use, the local planning authority can introduce an Article 4 Direction to remove this flexibility. As the effect of Article 4 Directions is to enable development to be considered through the planning system, it is important that complementary planning policy is in place. Refusal of planning permission could still be challenged though appeal and inspectors will base their decisions on planning policies. Restrictions on A2 uses through the introduction of an Article 4 Direction would give the Council greater control over development that would harm policy objectives, such as vitality and viability. For example, this would prevent the change of use of a café or hot-food takeaway to a bookmaker's.
- 7.8 There are a number of practical considerations attached to article 4 directions. First, it is usual to give a year's notice as this avoids compensation claims from those affected by the measure. This can lead to an increase in development activity during this period as operators seek to avoid the restrictions. Second, there are no fees for planning applications required due to an article 4 direction. This could be a particular consideration in the light of the pressure on public resources. It is therefore important to properly understand the potential impact and overall effectiveness of this measure.

Licensing and Gambling Policy

- 7.9 As stated, the intention is to review both statements of licensing and gambling policy in 2015.
- 7.10 It is anticipated that these reviews will seek to implement better integration with local priorities in order to ensure the policies effectively address both local aspirations and areas of concern. Consideration will need to be given to what evidential basis exists relevant to achieving strategic objectives; both in establishing what those objectives should be and the formulation of the policies, but also to enable us to measure their success.

8.0 Conclusion

- 8.1 District Centres are important strategic assets but also big challenges for the City. They provide access to services for the City's residents, generate commercial activity (and tax receipts) and can underpin a strong sense of place. The precise character of each District Centre varies and will change

over time, but the City Council has a central role in managing the evolution of centres, maintaining a sustainable balance of uses and promoting broader corporate objectives.

- 8.2 As part of a Local Plan review, there would be an opportunity to consider the role of Manchester's District Centres and their vitality and viability. This should include specific consideration of any town centre uses which can be harmful to a centre's social and economic role, such as hot-food takeaways, bookmakers, payday loan companies and shisha bars. A Supplementary Planning Document could be prepared to support the strategic policy position, and it may also be possible to prepare this document in advance of a Local Plan review, if certain core aims and functions relating to District Centres remain unchanged. Alongside (or potentially in advance of) work on policy development, consideration could be given to how local stakeholders can better engage with the process associated with applications for planning and licensing consent.

Appendix 1

Manchester's Licensing Policy

Manchester's Licensing Policy is built around 5 "Key Factors":

1. KF1 What we aim to encourage
2. KF2 The location of licensed premises
3. KF3 Hours for licensed premises
4. KF4 Standards to promote the licensing objectives
5. KF5 Off-sales of alcohol

- a. In summary, KF1 aims to promote a greater diversity within the evening and night time economy by encouraging the kinds of licensed premises not typically associated with causing problems. KF2 and KF3 consider the likely effect on the locality (of granting a licence) having regard to the local circumstances where the premises is situated and ensuring appropriate hours of operation. KF4 addresses practical measures that licensees are expected to implement at their premises to ensure high management standards and promote the licensing objectives.
- b. There are no specific controls in respect of shisha premises or takeaways generally throughout the city. Therefore, licence applications for such premises would be subject to consideration of their own individual merits, having regard to the four Key Factors identified above. However, there are specific controls in relation to Off Licences.
- c. Aside from the general policy and its Key Factors, there are also special policies for two identified areas of the city: (1) Fallowfield / Wilmslow Road, and (2) Withington District Centre. These special policies were implemented in 2013 following specific concerns over the impact of licensed premises within each locality and satisfactory evidence that the licensing objectives were being undermined as a result.
- d. The effect of the Fallowfield / Wilmslow Road special policy is to create a rebuttable presumption against the grant of any further licences or extension of hours for existing licensed premises within the defined area. The Withington special policy is less restrictive and provides a structured set of presumptions in respect of different types of premises (including off licences and takeaways), whilst also establishing a heightened level of expected operating standards. However, the Foreword to the Policy recognises that measures such as these special policies are "a specific response to particular circumstance, and not something we would expect to see widespread throughout the city".

- e. The last full review of the Council’s Statement of Licensing Policy was conducted in 2011, although it was revised in 2013 to incorporate the special policies mentioned above. It is intended to carry out an overall review of the Policy in 2015.

Appendix 2

Licensing of Gambling Premises in Manchester

The Council, as a Licensing Authority, is responsible for licensing gambling premises within its area i.e. Manchester. In exercising its licensing function, the Council must have regard to the licensing objectives set out in the Gambling Act 2005:

Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
Ensuring that gambling is conducted in a fair and open way;
Protecting children and other vulnerable persons from being harmed or exploited by gambling

Section 153 of the Act provides that (in exercising its licensing functions), a licensing authority shall “aim to permit the use of the premises for gambling so far as it thinks it is:

in accordance with any relevant code of practice (i.e. LCCP);
in accordance with any relevant guidance issued by the (Gambling) Commission;
reasonably consistent with the licensing objectives (subject to (a) and (b) above)
in accordance with the Licensing Authority Statement of Policy (subject to (a) and (c) above.”

The Council’s Gambling policy states in relation to the ‘location of gambling premises’:

The location of gambling premises will be considered when determining whether the location of proposed gambling premises is acceptable (with or without conditions) in light of the licensing objectives. The authority will consider very carefully whether applications for premises licences in respect of gambling premises located very close to premises frequented by children or other vulnerable persons e.g. a school or centre for gambling addicts, should be granted in light of the third licensing objective. It will depend to a large extent on the type of gambling that it is proposed will be offered on the premises, If an applicant...can show how licensing objective concerns can be overcome, that will be taken into account.”

In relation to the definition of ‘vulnerable persons’, the Gambling Commission does not seek to make a definition but “does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs”. Further the Council’s Policy also considers the following people to be vulnerable:

- Those with an inclination to gamble more than they want to or beyond their means;

- Those who are dependant for a source of income on somebody who gambles more than they want to or beyond their means;
- Those who are employed by gambling operators and have regular contact with gambling;
- Those aged 16 – 24;
- Habitual players of gaming machines.