

**Manchester City Council  
Report for Information**

**Report To:** Licensing Committee – 24 October 2016  
**Subject:** Licensing Update  
**Report of:** Head of Planning, Building Control & Licensing

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**Summary**

The report provides the Licensing Committee with a brief overview of topical information relevant to premises licensing functions of the licensing authority.

**Recommendations**

That Members note the report.

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**Wards Affected:**

All

| <b>Community Strategy Spine</b>                         | <b>Summary of the contribution to the strategy</b>  |
|---|---|
| Performance of the economy of the region and sub region | Licensing plays a key strategic role in ensuring the sustainable economic growth and transformation of the city, whilst also ensuring the city is clean and safe. Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region. |
| Reaching full potential in education and employment     |   |
| Individual and collective self esteem – mutual respect  |   |
| Neighbourhoods of Choice                                | Licensing plays a key strategic role in ensuring that appropriate safeguards are in place for our communities.  |

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
  - Risk Management
  - Legal Considerations
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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Background documents (available for public inspection):**

Copies of these 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.

Licensing Act 2003  
Policing and Crime Bill  
Gambling Act 2005

## **1.0 Introduction**

- 1.1 The report provides the Licensing Committee with a brief overview of topical information relevant to premises licensing functions of the licensing authority.

## **2.0 Changes proposed to Late Night Levies and Cumulative Impact Policies**

- 2.1 The Home Office has tabled an amendment to the Policing and Crime Bill that would see significant changes made to how late night levies and cumulative impact policies are administered.

- 2.2 The amendments to the late night levy would:

- Make the levy more flexible by enabling the local authority to apply a levy to specific geographical locations, rather than having to apply it across the whole local authority area.
- Add the option to include premises providing late night refreshment within the remit of the levy with the exception of premises only providing hot drinks (currently the levy can only apply to alcohol on-licensed premises)
- Enable Police and Crime Commissioners to request the licensing authority to consult on introducing a levy; and
- Require licensing authorities to publish information about how funds raised by the levy are spent so that those paying it are clearer about how it is being used

- 2.3 The proposed changes to Cumulative Impact Policies (CIPs) would see them given a statutory footing as a 'cumulative impact assessment' would need to be undertaken before such a policy could be implemented. It is intended that this would add legal certainty and transparency for applicants, licensing authorities and other responsible authorities on how CIPs are developed and operate.

- 2.4 The proposals set out what steps a licensing authority will be required to take before publishing a cumulative impact assessment and guidance will set out the kinds of evidence which licensing authorities may use.

- 2.5 There would be a new requirement to review and carry out a consultation on the cumulative impact assessment at least every 3 years, and publish a statement about whether the licensing authority remains of the opinion set out in the assessment.

- 2.6 As is currently the case with CIPs, a cumulative impact assessment would not create an automatic refusal of a new licence or variation of an existing licence, and licensing authorities, other responsible authorities or other persons will need to make representations in the usual way.

### **3.0 Proposed changes to gaming machine provisions**

- 3.1 The Private Members' Betting Licences (Category B2 Gaming Machines) Bill, which was originally introduced by the Bishop of St Albans, has now been included as a new amendment in the Policing and Crime Bill.
- 3.2 The proposal would see licensing authorities being given the power to add a condition restricting the maximum stake for gaming machines to no more than £10. Essentially, this would only impact on B2 machines (commonly known as Fixed Odds Betting Terminals or 'FOBTs') which can only be provided at licensed betting premises and currently have a maximum stake of £100.
- 3.3 The Licensing Authority would also be able to limit the number of machines on the premises. Currently, a licensed premises has an automatic entitlement of machines up to a preset statutory maximum e.g. a betting shop has a maximum limit of 4 machines. Under the proposed changes the Licensing Authority could decide to limit the number to zero if there were sufficient reasons to do so.
- 3.4 The other element that the Licensing Authority could condition is the use of the machine by players. The proposed amendment would allow the Licensing Authority to place a condition on the licence so that a customer would have to provide a form of identification to the shop staff before they are permitted to play. In practice, this would mean that for premises that have this condition customers would need an account with that company, where they have provided proof of their identity before they can play a gaming machine.
- 3.5 The account based play element could also be useful to prevent crime such as money laundering or other crimes such as criminal damage where the offender would be known and then identifiable from his account.
- 3.6 The proposed amendment would allow a Licensing Authority to add or amend these conditions once it has given particular weight to the impact of the following on the promotion of the licensing objectives—
  - (a) the number of other premises in the locality where the premises concerned are situated in which gaming machines are available for use,
  - (b) the levels of crime and disorder in that locality,
  - (c) the extent of social or economic deprivation in that locality, and
  - (d) the proximity of the premises concerned to places habitually attended by children or other vulnerable persons.

### **4.0 Update on problem gambling initiatives**

- 4.1 Members will recall that a series of awareness raising activities were held in Manchester as part of Gambleaware Week in July.
- 4.2 The Council has been working in partnership with Beacon Counselling Trust, the Gamcare-commissioned treatment provider for problem gambling in

Manchester, in order to raise awareness and improve the delivery of problem gambling treatment locally.

- 4.3 This partnership originated following the development of the Gambling Vulnerability Index project, completed in conjunction with Geofutures and Westminster City Council, and Manchester City Council is now seen as taking a lead in the issue of problem gambling.
- 4.4 Following the awareness raising work, Beacon are now receiving an increase in the number of new referrals from Manchester; approximately 20 per week on average.
- 4.5 Following on from the awareness raising sessions during Gambleaware Week, Beacon are becoming part of the integrated care pathway for the Council's mental health and social care provision and are working closely in Manchester with:
- Social Services
  - Registered social landlords
  - Homeless support providers
  - Mental Health services and the wider NHS
  - Ethnic minority groups
  - Trade Unions
  - Gambling industry
  - Domestic violence organisations
- 4.6 A further development is that all Council central service providers (Contact Centre, Early Intervention Hubs, Mental Health Services, Domestic Violence Unit, Northwards and Wythenshawe Housing) are now beginning to screen for problem gambling.
- 4.7 With specific regard to the Geofutures report, Beacon's service provision on the ground will shortly match the areas of high risk as they will be delivering services through both Wythenshawe and Northwards housing, with other locations and service provisions planned across Manchester.
- 4.8 Moving forwards, Manchester will be hosting the first National Conference on Problematic Gambling in the Workplace at the Town Hall on 11 November.

## **5.0 Contributing to the Community Strategy**

### **5.1 Performance of the economy of the region and sub region**

Licensing plays a key strategic role in ensuring the sustainable economic growth and transformation of the city, whilst also ensuring the city is clean and safe. Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.

**5.2 Reaching full potential in education and employment**

**5.3 Individual and collective self esteem – mutual respect**

**5.4 Neighbourhoods of Choice**

Licensing plays a key strategic role in ensuring that appropriate safeguards are in place for our communities.

**6.0 Key Policies and Considerations**

6.1 The report deals with matters that could impact on the Council's policy statements under the Licensing Act 2003 and Gambling Act 2005.

**7.0 Conclusion**

7.1 The report provides information to the Committee on current issues relevant to premises licensing. It is envisaged that the availability of this information will assist decision making and local policy formation in respect of licensing issues.

7.2 The Committee is asked to note the report.