

MANCHESTER CITY COUNCIL

REPORT FOR RESOLUTION

COMMITTEE: Licensing Policy Committee
DATE: 22 November 2007
SUBJECT: Revised Licensing Act Policy 2008-2011
REPORT OF: Head of Environmental Services

Purpose of the report

To inform the Committee of the consultation responses received in respect of the draft revised Licensing Act Policy.

To present the Committee with an updated draft policy including proposed changes following consultation.

Recommendations

That the proposed amendments are approved and the policy is submitted to council with a recommendation that the policy be approved and adopted with effect from 7 January 2008.

Financial Consequences for the Revenue Budget

None arising directly from this report.

Financial Consequences for the Capital Budget

None arising directly from this report

Contact Officers

Fiona Sharkey, Head of Regulatory & Enforcement Services Tel No: (800) 1599
Email: f.sharkey@manchester.gov.uk

Jenette Hicks Licensing Unit Manager Tel No: (800) 4962
Email: j.hicks1@Manchester.gov.uk

Background Documents

Manchester City Council draft Licensing Policy 2008-2011

Licensing Act 2003 Guidance issued under section 182 of the Licensing act 2003 (took effect from 28 June 2007).

Licensing Policy Committee report 8 August 2007

Consultation responses received

All documents available from room 6021 in the Town Hall Extension

Wards Affected

City Wide

Implications for

<u>Anti-Poverty</u>	<u>Equal Opportunities</u>	<u>Environment</u>	<u>Employment</u>
----------------------------	-----------------------------------	---------------------------	--------------------------

No

No

Yes

Yes

Environmental Implications

The Licensing Act 2003 gives the Council opportunities for influencing the behaviour of premises licence holders including pubs, bars and nightclubs, members' clubs, off licences and takeaways that stay open after 11.00pm. Whilst the environment is not a specific objective of the Act, there is no doubt that the way premises are managed e.g. the extent to which they tackle problems of drunkenness, underage drinking and noise nuisance, has a significant impact on the surrounding environment. The draft revised Licensing Act policy sets out many examples of good practice, that if comprehensively adopted by licence holders will benefit the local environment.

Employment Implications

Well-managed licensed premises with adequate staffing play a key role not just at night but also often throughout the day. In particular premises that provide several activities e.g. food, drink and entertainment bring significant employment opportunities and encourage further investment.

REPORT

1 Background

- 1.1 On 8 August 2007 the Committee considered a report seeking members approval for consultation on the Council's draft revised Licensing Policy
- 1.2 The revision of the Policy is being undertaken in accordance with section 5 of the Licensing Act which requires Manchester City Council to review its Licensing Policy every 3 years.
- 1.3 Consultation on the Policy has been undertaken in accordance with the cabinet Office Code of practice on Consultation, in that a 12-week public consultation exercise was undertaken from 9 August to 1 November.

2 Results of the Consultation Process

- 2.1 A total of 34 responses were received during the consultation period. These included responses from local residents, Councillors, pub companies, residents groups and associations, licensed trade, , British Beer and Pub Association, NHS, licensing solicitors, training organisations and the Federation of Licensed Victuallers Association.
- 2.2 The responses are summarised in **Appendix A** together with a brief explanation as to whether it is proposed to amend the policy in light of the individual consultation response. Where an amendment is suggested this is listed in the right hand column of Appendix A.
- 2.3 The consultation comments received covered a variety of different issues including
 - Concern re late night street noise.
 - Concern re perceived growth in number of licensed premises in particular geographical areas.
 - Concern that the Council must not stifle the growth of licensed premises in particular geographical areas.
 - Concern re licensed premises in some areas catering for a very specific market e.g. students.
 - Requests for the Council to consider cumulative impact policies.
 - Concern re perceived ineffectiveness in the consultation process.
 - Concern that the policy recommends consultation beyond the minimum statutory requirement.
- 2.4 Members are advised that they should read the full responses to the consultation and to enable them to do this copies of the papers will be placed in Room 6012 prior to the meeting. The papers will be available for members to refer to again in the meeting.
- 2.5 Members are advised that amendments to the draft policy may only be made if a relevant response has been received during the consultation period.

2.6 **Appendix B** is a further revision of the draft policy incorporating the changes as outlined at **Appendix A**. These changes are shown as tracked changes within the Policy document.

2.7 The final proposed policy is at **Appendix C**.

3 Recommendations

3.1 Members are asked to note the responses to the public consultation and to agree the proposed amendments to the draft policy in light of these responses.

3.2 Members are asked to submit the draft Policy to Council on 5 December 2007 with a recommendation that the Policy be formally adopted on 7 January 2008.