



Licensing Committee

Date: Monday, 19 July 2021
Time: 10.00 am
Venue: Council Chamber, Level 2, Town Hall Extension

This is a **supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published

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Membership of the Licensing Committee

Councillors - Ludford (Chair), Grimshaw (Deputy Chair), Andrews, Chambers, Connolly, Evans, Flanagan, Hassan, Hewitson, Hughes, Jeavons, S Judge, Lynch, McHale and Reid

Supplementary Agenda

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|---|----------|
| 5. Update of Model Conditions under the Licensing Act 2003 including incorporation of Martyn's Law proposals | 3 – 50 |
| The report of the Director of Planning, Building Control and Licensing is enclosed. | |
| 6. Proposed revision of MCC Gambling Policy | 51 – 112 |
| The report of the Director of Planning, Building Control and Licensing is enclosed. | |

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This supplementary agenda was issued on **Thursday, 15 July 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

**Manchester City Council
Report for Information**

Report to: Licensing Committee – 19 July 2021

Subject: Update of Model Conditions under the Licensing Act 2003 including incorporation of Martyn’s Law proposals

Report of: Director of Planning, Building Control & Licensing

Summary

The report provides the Licensing Committee with the results of the public consultation and proposes the final model conditions.

Recommendations

That Members approve the model conditions.

Wards Affected: All

Environmental Impact Assessment - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
None

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	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.
A highly skilled city: world class and home grown talent sustaining the city’s economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.

A liveable and low carbon city: a destination of choice to live, visit and work.	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place-based interests. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.
A connected city: world class infrastructure and connectivity to drive growth	Licensed premises play a key role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high-quality premises to help drive that growth.

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

Report to Licensing Committee - 20 January 2020: "Update of Model Conditions under the Licensing Act 2003 including incorporation of Martyn's Law proposals"

Original consultation responses

Protect Duty Consultation, Making the public safer at publicly accessible locations, Home Office (February 2021)

Manchester Arena Inquiry Volume 1: Security for the Arena, Report of the Public Inquiry into the Attack on Manchester Arena on 22nd May 2017, Chairman: The Hon Sir John Saunders June 2021

1. Introduction

- 1.1 The report provides the Licensing Committee with the results of the public consultation on the revised model licence conditions for premises under the Licensing Act 2003, which incorporated the proposed new conditions in line with adopting the principles of Martyn's Law in Manchester.
- 1.2 The consultation was published on the Council's website for 6 weeks from 4 March to 17 April but was extended for a further 4 weeks until 17 May in light of the Coronavirus lockdown.
- 1.3 Fourteen responses were received in the consultation period and a further written response received after the deadline. Clearly, there has been no prejudice in this being received late, given the passage of time and so has been included in the results.
- 1.4 Responses were received from the following -
 - 6 x industry operator
 - 1 x member of public
 - 1 x private security
 - 1 x licensing solicitor
 - 5 x unknown
- 1.5 Since the model conditions consultation was completed, the Government has publicly consulted on a national Protect Duty, based on Martyn's Law and the Chairman of the Manchester Arena Inquiry has published Volume One of his report detailing his findings and recommendations on security. Both have considerable influence relevant to Martyn's Law. Therefore, the proposed implementation of the proposed conditions has been considered relative to them.

2. Response to Martyn's Law Conditions

- 2.1 All responses bar one, supported the introduction of the Martyn's Law principles, with some caveats:
 - Requirements should be targeted to defined premise as some licensed premises might not be as relevant e.g., office spaces;
 - Too onerous for all staff to complete training and to the timescales proposed;
 - Higher levels of training should be mandatory for the designated premises supervisor but optional for other duty managers based on risk assessment;
 - Security personnel should complete ACT Awareness and supervisors/managers complete higher level training.
- 2.2 Only one response (Response 4, Industry Operator) was completely against the ML proposals
- 2.3 The responses are considered below:

Response 4 (Industry Operator)

“Should be moitored (sic) by public sector, NOT pushed on to the private sector to police”.

Response 5 (Security Officer)

“All security personal (sic) must complete ACT Awareness Training. All security supervisors / Managers must complete ACT Strategic and Operation Training.”

Response 6 (Industry Operator)

“I entirely agree with training members of our team on Act Awareness and the benefits of this excellent package. We already do this for our London Duty Managers via the eLearning scorm package. I do have concerns on the requirement for all staff to be trained before they can work in our premises. This will place significant strain on premises who may have a high turnover of staff/seasonal workers. New staff also have to go through a great deal of induction training already to meet other various legislation and I fear the training may therefore lose some of its value. Regarding the requirements for DPS and Duty Managers to complete the additional operational or strategic levels of training, this will be dependent on the availability of these face to face courses. I think the 28 day requirement is also onerous. This could also prove difficult for a new DPS/Duty Manager to complete in this timescale. I believe the ACT awareness training should be mandatory for Duty Manager level but optional for general team members. The enhanced levels of training for Duty Managers should also be optional based on risk assessment and management level, but agree mandatory for the DPS; however the 28 day deadline should be extended.”

Response 12 (Licensing Solicitor)

As drafted, (Condition 1) applies to every licensed premises, regardless of size or location, or type of activities permitted.

It would cover small corner shops, supermarkets, late night takeaways, pubs, bars, restaurants, nightclubs, cinemas, theatres large scale music venues and football clubs. Other, less obvious licensed premises include office blocks, co-working spaces and public squares either in private ownership such as Spinningfields, or Council owned such as Albert Square and others.

Some smaller venues might find it relatively easy to ensure that all staff had undertaken the necessary training but others would find it simply impossible. For example, a manager employed by a national pub chain drafted in at short notice and for a short period of time would not be able to comply with this condition nor would those who relied on agency staff. Equally, every member of staff employed at the Etihad for example, could not be expected to undertake the training.

We would suggest that the condition be amended so that it only applies to a defined list of premises, and perhaps whilst the training might be mandatory for the manager (and/or DPS if the licence allows for the sale of alcohol) that thereafter, a % be given for the number of staff to be trained.

We agree that (condition 2) is proportionate. However, compliance relies on the availability of the training. We would ask if assurances have been given by

the training provider that sufficient training courses will be run, in appropriate locations, to ensure that individual Designated Premises Supervisors did not fall foul of the condition through unavailability of courses within the requisite timeframe.

MCC Response

- 2.4 The suggestion in Response 4 that it is not a matter for the private sector is rejected as this is completely contrary to the principles of Martyn’s Law, which requires that spaces and places to which the public have access engage with freely available counter-terrorism advice and training.
- 2.5 The Government has consulted on a Protect Duty and part of that consultation seeks to explore what limits that should be in place for that duty to be instigated, with a proposed minimum capacity level of 100 proposed.
- 2.6 The key issue raised in responses 6 and 12 concerns the proportionality of the training requirements, particularly:
- i. whether it should only apply to specific types of venues
 - ii. the timescales for training to be completed
 - iii. the feasibility and appropriateness of training all staff
- 2.7 The Government’s brief on the scheduled consultation was that it would “ask for views from business and the public sector on the proportionality, scope of the duty, and how it should be enforced.”
- 2.8 Security Minister James Brokenshire said:
 “Our first priority is keeping the public safe and preventing more families from suffering the heartbreak of losing a loved one. The devastating attacks in 2017, and more recently at Fishmongers’ Hall and Streatham, are stark reminders of the current threat we face. We are in complete agreement with campaigners such as Figen Murray on the importance of venues and public spaces having effective and proportionate protective security and preparedness measures to keep people safe. Of course, it is important that this new law is proportionate. This public consultation will ensure we put in place a law that will help protect the public while not putting undue pressure on businesses.”
- 2.9 Having regard to the comments in Response 5 (Security officer) it is proposed to amend the condition to clarify that all door supervisors on duty at the premises would be required to complete the ACT Awareness Training and that it is not limited to the employees of the licensed premises. It is noted that ACT e-learning and a new ACT Security e-learning course due to launch this summer are now part of the SIA’s training requirements for door supervisors: <https://www.gov.uk/government/publications/changes-to-sia-licence-linked-training-your-questions-answered/changes-to-sia-licence-linked-training>.
- 2.10 Whilst these requirements will be picked up through new applications and renewals, it is proposed to keep door supervisors within the remit of the

licence condition at this stage to promote the completion of the relevant training by door supervisors on duty in Manchester as soon as possible, rather than waiting until renewal.

- 2.11 The proposal that security supervisors and managers complete a higher level of training, similar to the proposal for designated premises supervisors and duty managers at the licensed premises, is logical and so it is also proposed to include this amendment.
- 2.12 Whether the conditions should only apply to certain categories of premises can be complicated as venues may not simply fit into a defined category or may transition between distinctive styles of operations. The Martyn's Law principle are that "spaces and places to which the public have access":
- (a) engage with freely available counter-terrorism advice and training
 - (b) conduct vulnerability assessments of their operating places and spaces
 - (c) mitigate the risks created by the vulnerabilities
- 2.13 Therefore, it is not proposed to limit the types of venues that are expected to comply as the intention is that all public places and spaces are engaged. Although they may be licensed, premises such as office buildings that are not open to the public would not be captured by the condition and so would already be excluded.
- 2.14 However, if an applicant believes the model condition should not apply to their premises, they can explain why in the application process.
- 2.15 The issue of training course availability is considered later in the report.

3. Other Conditions - Individual Responses

- 3.1 The responses to other proposed model conditions are set out below:

Response 5 (Security Officer)

"All front line security personal (sic) working in public domain must wear body worn camera's (sic)."

- 3.2 It is proposed to amend Condition 24, which concerns the use of body cams by security personnel, to include an option to specify "all" security personnel to wear them, rather than a specified number.

"All security personal (sic) must have emergency first aid at work training. There should also be required to have at large venues a member(s) of staff that have FREC level 3 / level 4 with available equipment."

- 3.3 FREC is the 'First Response Emergency Care' qualification. It is designed for those seeking a career in the emergency services, ambulance services, the event medical sector, but also those who work in high-risk workplaces. It equips a person with the skills to deal with a wide range of pre-hospital care

emergencies, such as: managing a patient's airway; catastrophic bleeding; management of fractures; medical emergencies.

- 3.4 The Level 3 Certificate in First Response Emergency Care is one of the few first aid qualifications recognised by the Security Industry Authority (SIA) and typically involves attending a course over 5 days at a cost of approximately £500+. There is also an additional recommended 118 hrs of post course learning.
- 3.5 Upskilling door supervisors and increasing their capability to deal with vulnerability is an important aim. Therefore, it is proposed to include conditions as recommended in the response, although it is recognised that any imposition of a requirement for the Level 3 FREC qualification would generally only be appropriate for larger and/or higher risk venues.
- 3.6 The proposed additional conditions are:
A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [or at specified days/times]

All door supervisors must have emergency first aid at work training.

Response 6 (Industry Operator)

"#25 on bodycams - review requirement for continuous recording loop as this goes against guidance from college of policing and ICO."

- 3.7 Response: Agreed - the condition has been modified following subsequent discussion with GMP and is to be streamlined so as not to be so prescriptive on technology specifications. GMP are working on a standalone guide to specifications for CCTV and body worn video, and so the condition will refer to the standards established in that. This approach will avoid licence conditions becoming outdated as technology or requirements evolve. A similar approach is also to be taken in respect of the model CCTV condition.

"#34.(b) - training records should be permitted in electronic format, with records of completed tests etc., without the need for paper and signatures."

- 3.8 Agreed - reference to signature removed to facilitate electronic training. However, operators will be expected to demonstrate version controls (or another appropriate methodology) of training records to avoid the ability to overwrite or manipulate records.

#47 - where an electronic refusal system on the till issued, this does not allow for inputting description of the customer. This is also time consuming and not practical in a busy pub/bar. I also do not feel it adds value to the objective or achieves anything - the correct recording of the refusal is the key part.

Response: Accepted - reference to description of the customer removed as a requirement. Recording refusals is an important exercise in demonstrating due diligence but whilst there may be some value in recording customer descriptions to identifying repeat instances, we recognise the practical difficulties raised in the response.

Response 9 (Business Network):

(Condition 34) "Further information on what staff working in the NTE can do to alert authorities to street vulnerable people, trafficked people and victims of modern slavery. Include some training from Manchester Homelessness Partnership and other specialists."

- 3.9 It is not proposed to include a model condition addressing this issue. The Manchester Homelessness Partnership (MHP) is a network of organisations which formed to work together towards the aims and values of the Manchester Homelessness Charter, and with the goal to end homelessness in all its forms in Manchester. Whilst we would encourage licensed premises to support such initiatives, this would not be relevant to the promotion of the licensing objectives. Modern slavery and trafficked people would be relevant to the crime prevention objective, and it is proposed to include a condition around understanding the signs of modern slavery and how to report it.

Response 12 (Licensing Solicitor):

Condition 7 (ID scanning condition) - In view of the advances in technology we would suggest the inclusion of any electronic or biometric verification technology approved by the Licensing Authority (in a manner similar to Condition 44).

- 3.10 Response - agreed. Condition to be amended as follows:

An ID scanning system, or electronic or biometric verification technology approved in writing by the licensing authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.

Condition 8 (searches) - We would suggest that this condition be amended to also allow for random searches to be permitted, or a separate condition included to guide operators who may consider that their premises may benefit from a discretionary search policy rather than a blanket one.

- 3.11 Response: Replace condition as follows

8. Persons entering or re-entering the premises must be searched [at random] [on a discretionary basis] [in every case] by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].

Condition 28 (CCTV) - We would suggest that “there are members of trained staff” be replaced by “at least one member of trained staff be”. This will ensure the objective of the condition is upheld, but does not require there to be more than one on site at any one time who is capable of providing the copies.

3.12 Response – Accepted.

Condition 33 (incident reporting) - VIII duplicates VI.

3.13 Response - duplicate deleted

Condition 42 (bottle cages)- This type of condition is more commonly associated with premises with a history of incidents of crime and disorder. If a condition were to be offered by an operator in their Operating Schedule for a new licence, we wonder whether this would be the sort of premises the City would be encouraging. However, we accept that the Pool of Model conditions is not just a tool for an applicant but can be used by any Responsible Authority or interested party who may consider this condition as part of Review proceedings.

3.14 Response - comments noted. Given the nature of the condition, we would not expect to see it being relevant in many circumstances and historically has only been imposed as a remedial measure following issues. Its inclusion is intended to provide consistency and as a reference point where a party seeks to propose such as measure as appropriate for the promotion of the licensing objectives.

Condition 51 (Restaurants and takeaways (alcohol) - We would suggest that conditions such as that above, which restrict a premises so that it must operate solely as a restaurant are outdated. More commonly seen in certain London boroughs (notably Westminster) we believe that they stifle innovation and increasingly lack relevance in the ever changing hospitality sector. Very few premises now fit neatly into a single definition of ‘bar’, ‘pub’ or ‘restaurant’ with far more operating as a hybrid of one or more of those styles.

3.15 Response - this is accepted. As referenced earlier in the report, many venues operate a hybrid model, and it is submitted that it is not whether the proposed business fits into a category of operation that will be important but whether its proposed operation will cause any harm to the licensing objectives. Therefore, it is proposed to remove this condition.

4. Key Policies and Considerations

4.1 The proposals will integrate with the Council’s Statement of Licensing Policy 2021-26 under the Licensing Act 2003.

Proportionality

- 4.2 The following is extracted from the Chairman to the Manchester Arena Inquiry's report:

8.40 Whenever a new Protect Duty has been considered, questions of proportionality have arisen. It is important that, as far as possible, the risk of a terrorist succeeding is eradicated or minimised. While we look to the Security Service and Counter-Terrorism Police to discover plots before they can come to fruition, they cannot prevent every terrorist plot as they themselves have said. That is not a reflection on how they do their jobs, it is the reality. Nor is it any comment on whether SA's plot could or should have been stopped by the Security Service and Counter-Terrorism Police. I shall be considering that issue in Volume 3 of the Report.

8.41 Doing nothing is, in my view, not an option. Equally, the Protect Duty must not be so prescriptive as to prevent people enjoying a normal life.

8.42 Working out what is a proportionate response is a matter for society through Parliament. Any increase in protective measures is likely to affect both those implementing them and may affect members of the public. I have seen the horrific outcome of the Attack on 22nd May 2017 and the appalling consequences it has had for the bereaved and survivors. I recommend that, when considering what is the appropriate Protect Duty for premises like the Arena, a high standard of protective security is justified.

8.49 There are already statutory requirements which could cater for this. It could be done as part of the construction planning or the licensing process. Considerations of public safety are already part of the licensing process and there is no reason why consideration of the vulnerability of a terrorist attack in new premises should not be part of the planning process...

8.50 Similar considerations apply to licensing permissions. Any building such as the Arena would require a licence to permit public entertainment and the sale of alcohol. Public safety has always been a consideration in the granting of licences and the clear terms of the Licensing Act 2003 mean that it still is.

- 4.3 In all cases, the imposition of Martyn's Law licence conditions will need to be done having regard to the statutory s182 Guidance. The 'have regard' duty meaning that whilst it can be departed from, there would need to be clear reasons for doing so. The guidance advises that conditions

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed

may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;*
- must be precise and enforceable;*
- must be unambiguous and clear in what they intend to achieve;*
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- should not replicate offences set out in the 2003 Act or other legislation;*
- should be proportionate, justifiable and be capable of being met;*

- 4.4 Given the above, there is a clear rationale for why the Martyn’s Law conditions would be appropriate for the promotion of the licensing objectives. In all cases, it would be a matter for the licensing authority to determine whether imposing them was proportionate, unless they have been volunteered by the licensee.

Protect Duty

- 4.5 Between 26 February 2021 to 2 July 2021, the Home Office consulted on a proposed Protect Duty considers how we might use legislation to enhance the protection of publicly accessible locations across the UK from terrorist attacks and ensure organisational preparedness.
- 4.6 The consultation and discussion issues were broken down into four sections:
Section 1: Who (or where) should legislation apply to?
Section 2: What should the requirements be?
Section 3: How should compliance work?
Section 4: How should Government best support and work with partners?
- 4.7 Given the consultation only recently finished, there is not yet a Government response to the consultation or any known any timescale on when any decision will be made in respect to the Protect Duty.

Implementation of Martyn’s Law conditions in view of the potential implementation of a Protect Duty

- 4.8 Although the Protect Duty will potentially become legislation, it is our intention to continue with implementation of Martyn’s Law relevant to licensed

premises. The consultation document and the Chair to the Inquiry's report recognise that there is a need for counter terrorism measures to be considered relative to licensed premises.

- 4.9 Should the Protect Duty become legislation it is envisaged that licence conditions would no longer be required or appropriate. The s182 Guidance advises (1.16) that licence conditions "should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation".
- 4.10 In the event of Protect Duty legislation causing Martyn's Law conditions on licences become invalid, then there is the minor variation process could be used to address any duplication or redundancy.
- 4.11 The statutory s182 Guidance to the Licensing Act 2003 states relative to minor variations (emphasis added):

c) Amending or removing existing conditions

8.73 Changes in legislation may invalidate certain conditions.
Although the conditions do not have to be removed from the licence, licence holders and licensing authorities may agree that this is desirable to clarify the licence holder's legal obligations.

Proposed amendment to Martyn's Law model conditions

Training requirement

- 4.12 Concerns were raised over the achievability of ACT training courses.
- 4.13 Without the certainty of availability of ACT Operational and Strategic courses, there is a risk that licensees would be unable to comply with a requirement to complete these courses with the original proposed 28-day period. Therefore, it is proposed to re-word the condition to require that such training be completed 'as soon as is reasonably practicable'. This will still require businesses to complete training without undue delay but avoids the risk of them committing the unlawful offence of not complying with a licence condition should it be outside their control to do so. There is a requirement, however, to register to attend a course within the 28-day period to ensure businesses are proactive in attending forthcoming training courses.
- 4.14 There is no such issue with the ACT e-learning which is universally available. The requirement for all staff to complete this training has been clarified in the condition, by specifying it as e-learning.
- 4.15 However, as the Chair to the Arena Inquiry recognises at 8.107 to 8.109 of his Volume 1 report:
- While e-learning is a convenient method of teaching large numbers of people without having to get them all together, the evidence at the Inquiry was that it is difficult to ensure that the training is properly*

carried out and it may be possible for the student to make it look as if the training has been done when it has not...

...What is important is ensuring that the trainees have absorbed the learning. As was said in other contexts in the Inquiry, the learning needs to become part of the 'muscle memory'. I recommend that there should not be undue reliance on e-learning and its limitations need to be recognised.

I recommend that if e-learning is used, there should be follow-up to ensure that the training has been understood. This can either be done while the job is being carried out or in a classroom. If this follow-up is carried out while the job is being carried out, it should be timetabled and recorded.

- 4.16 Therefore, it is important that the higher levels of training are delivered across licensed premises. It is endeavoured that a series of training sessions will be provided monthly Counter Terrorism Policing North West (CTPNW) at scale for licensed premises staff, subject to resources.
- 4.17 The proposed condition requiring enhanced training has been amended from requiring ACT:Operational or Strategic to reference "CT Awareness". The CT Awareness training packages incorporate a range of different CT courses (such as ACT:Operational and Strategic) delivered in-person by trained personnel. However, by re-wording the conditions as proposed, it is our intention at this stage to retain a degree in flexibility in the course content given the pilot nature of the programme and to avoid being limited to those specific packages.

Requirement for a vulnerability assessment

- 4.18 In his foreword to the Protect Duty consultation, Security Minister, Rt Hon James Brokenshire MP, states:
- "I would encourage all readers of this consultation to consider the simple advice and to access the further reference sources provided at pages 9-11, in the section entitled 'An introduction to protective security for owners and operators of publicly accessible locations'."*
- 4.19 The document goes on to say that this section provides some simple security advice and further reference sources that all can follow.
- 4.20 The section advises that "it is important to consider **security as a system**, a combination of physical and/or behavioural interventions deployed in a complementary manner to mitigate key risks. Getting the "people" aspects right (e.g., developing and sustaining a security culture, encouraging vigilance, and providing appropriate and effective training) is at least as important as selecting (and correctly installing) physical security measures (such as security doors, blast-resistant glazing, fences, bollards, CCTV, electronic access control and intruder detection systems)."
- 4.21 In line with this concept of 'security as a system', it is proposed to amend the ML condition from requiring a 'vulnerability assessment' to a "security

assessment, which must incorporate counter terrorism measures". it is intended to include the guidance provided in the Protect Duty consultation '**An introduction to protective security for owners and operators of publicly accessible locations**' (Appendix 3) as an appendix to the ML model conditions. However, we intend on developing further guidance to support carrying out assessments in due course, including minimum considerations.

- 4.22 NACTSO Guidance (<https://www.gov.uk/government/publications/crowded-places-guidance/physical-security>) on Physical Security states:
"Physical security is an important consideration when protecting against a range of threats and vulnerabilities, including terrorism."
- 4.23 Therefore, the revised wording is intended to recognise the integrated approach to security matters at a licensed premises, whilst still requiring counter terrorism measures to be included in the assessment.
- 4.24 Relevant to this, it is proposed to seek to incorporate the ML principles as part of a new security and vulnerability initiative for licensed premises (Licensing SAVI) as set out below.
- 4.25 One of the recognised limitations in seeking to introduce Martyn's Law principles in the absence of legislation is that there would be no requirement for existing licences to include the conditions or seek to comply with them. The alternative (other than venues voluntarily applying to include the conditions on their licences or if imposed on a review of the licence).
- 4.26 Therefore, an accreditation process would give us a mechanism by which licensed premises could engage and adopt with key Martyn's Law principles to carry out a security/vulnerability assessment and enable them to identify risks and address them.
- 4.27 A practical option that officers are currently exploring is the recently launched Licensing Security and Vulnerability Initiative (Licensing SAVI).

Licensing Security and Vulnerability Initiative (Licensing SAVI)

- 4.28 Licensing SAVI has been developed by Police Crime Prevention Initiatives (PCPI) at the request of the Home Office.
- 4.29 PCPI is a not-for-profit organisation which delivers significant crime reductions at no cost to the Police Service or the public purse. The new Chief Constable for Greater Manchester Police, CC Stephen Watson, is a Board Member alongside other Chief Police Officers from England, Scotland, Wales and Northern Ireland and control and direct the work PCPI carries out on behalf of the Police Service.
- 4.30 The Licensing SAVI scheme is managed by Mark Morgan, who completed 30 years as a police officer in both the Metropolitan and Merseyside Police, finishing as the head of response policing for Merseyside. Mark previously led the police licensing teams for Liverpool and was a police lead for the

comprehensive ‘designing out crime’ partnership initiative in Liverpool City Centre.

- 4.31 Licensing SAVI is a self-assessment process guiding operators through an exploration of their existing policies, procedures, and physical security by asking a series of multiple-choice, in-depth, questions. A personalised report is generated upon completion indicating areas where strong and where there may be room for improvement, with the intention to provide a safe and secure environment for their managers, staff, customers, and local communities
- 4.32 The recommendations within the final report provide consistent guidance and benchmarks which are drawn from the Home Office, Police Service (including the National Counter Terrorism Security Office), Local Authorities, Fire and Rescue Service, Health and Safety Executive and the Security Industry Authority.
- 4.33 A final grading will be given in the form of a rating system from 1-5 Stars (with 5 Stars being the highest).
- 4.34 The Licensing SAVI licence lasts 12 months during which time the business can make improvements to increase their rating. Having reached a rating that the business is satisfied with, they can apply once within the 12 months licence period for the Licensing SAVI Accreditation.
- 4.35 The information contained in the Self-Assessment remains confidential to the business, unless they decide to share it with third parties, such as Responsible Authorities.
- 4.36 Further information is at <https://licensingsavi.com/> and at Appendix 2.

Chairman of the Manchester Arena Inquiry Recommendations

- 4.37 On 17 June 2021, the Chairman of the Manchester Arena Inquiry, The Hon Sir John Saunders, published Volume One of his report into the death of the 22 victims of the attack on 22nd May 2017. This report, Volume One: Security for the Arena is the first of three and examines the security arrangements in place at the Manchester Arena.
- 4.38 The Chairman has made several recommendations (Page 150 onwards). These include ‘monitored recommendations’, which means those recommendations that he intends, at this stage, to monitor and review the progress of implementation.
- 4.39 It is submitted that the following ‘monitored recommendations’ are particularly relevant to the proposed implementation of the Martyn’s Law principles:

MR4	A Protect Duty, as set out above, should be enacted into law by primary legislation
MR5	NaCTSO should create a centralised library of training materials.

MR6	NaCTSO should issue guidance in relation to the completion of risk assessments addressing the threat of terrorism.
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- 4.40 A centralised library and NaCTSO guidance would assist the implementation of the ML model conditions. In their absence, it is intended to include the guidance provided in the Protect Duty consultation (Appendix 3) as an appendix to the ML model conditions.
- 4.41 However, he has made several other recommendations, which are relevant to the operation of licensed premises generally, and it is proposed that it would be appropriate to implement relevant model conditions.
- 4.42 The recommendations are set out in bold

Chair's recommendation	Chair's Comments (paraphrased)	Proposed Model Condition
It is necessary to continuously remind those whose job includes being alert to the terrorist threat of the level of it and what that level means in relation to the possibility of an attack.	<i>A high level of alertness needs to be maintained when the threat level is severe. There ought to be a risk assessment for every venue. A specific risk assessment for each event which involves the attendance of a substantial number of people. All risk assessments for large concert venues should include consideration of the risk of a terrorist attack.</i>	Reasonable steps must be taken to ensure all persons employed at the premises are aware of: (i) the current terrorist threat level; and (ii) what that level means in relation to the possibility of an attack All risk assessments for public entertainment venues must include consideration of the risk of a terrorist attack.
Robust procedures are necessary to counter the threat of a terrorist attack. The purposes of those procedures and the necessity of following them must be understood by those carrying them out	<i>In order for necessary security procedures to be maintained, each person needs to be reminded of the counter-terrorism aspect of their activities. The message that counter-terrorism measures are vital needs to be constantly reinforced.</i>	Add " The purposes of those procedures and the necessity of following them must be understood by those carrying them out " to proposed ML model condition 5
Those responsible for security should be briefed at every event	<i>Those receiving the warning about the risk of attack have to be aware</i>	All persons responsible for security must be briefed at every event

Chair's recommendation	Chair's Comments (paraphrased)	Proposed Model Condition
about the current threat level and risk of terrorist attack.	<i>of the potential that they will become desensitised to the message. Those giving the warning need to be aware of this and must try to refresh the message so that it is sufficiently updated and relevant to attract the attention of the listener</i>	about the current threat level and risk of terrorist attack.
Any and all suspicious behaviour by event-goers or members of the public close to a venue must be noted. It must be reported promptly so that investigations can be made and action taken, if appropriate.	<i>Where hostile reconnaissance is suspected it needs to be properly recorded and reported to the police. Briefings to security staff need to include details of the suspected hostile reconnaissance. This is so that staff know what has happened and know what to look out for.</i>	All public facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. Any and all suspicious behaviour by customers or members of the public close to a venue must be noted and be reported promptly so that investigations can be made and action taken, if appropriate. Condition 33 relating to incident reporting has also been updated to address this.

- 4.43 We are continuing to consider the Chairman's report and further amendments will be kept under review.

Joint letter from the Institute of Licensing and Night Time Industries Association

- 4.44 A joint IoL and NTIA letter has been sent to Chairs of Licensing Committees in councils across the country calling for pragmatism from licensing authorities saying, "Partnership working with businesses, to allow them to recover and make their contribution to the economy has never been more important."
- 4.45 The letter jointly signed by IoL Chair, Dan Davies, and Michael Kill, CEO Night Time Industries Association, continues:

"One of the key problems that hospitality businesses now face is a lack of resources including staff. This is a particularly serious problem when it comes to complying with licence conditions that depend upon staff resources.

"We are writing to you at this time to make you aware of the issues, and to ask that you take them into account in making case by case licensing decisions.

"This continues to be very important even as we emerge from the worst restrictions of the pandemic. Partnership working with businesses, to allow them to recover and make their contribution to the economy has never been more important. We hope that highlighting this crisis will assist in making informed and proportionate decisions."

- 4.46 A copy of the letter is provided as Appendix 4. The committee is asked to consider its contents.

5. **Next Steps**

- 5.1 In relation to the Martyn's Law, the proposed next steps are summarised below:

1. Model Conditions will be considered on a case-by-case basis and attached either (a) where consistent with the steps submitted in the operating schedule or (b) imposed where deemed appropriate for the promotion of the licensing objectives either following a hearing or where agreed between opposing parties.
2. A series of CT Awareness training packages delivered by CTPNW-trained personnel for licensed premises arranged by MCC in conjunction with local Counter Terrorism Security Advisors (CTSAs).
3. We will explore how accreditation can work for Licensing SAVI and specifically for the implementation of the principles of Martyn's Law.
4. Licensing Policy review to incorporate counter terrorism considerations. Proposed revised policy scheduled to go out to consultation no later than October.

6. **Conclusion**

- 6.1 A schedule of the proposed final conditions is attached at Appendix 1.

- 6.2 The Committee is asked to:

- i. consider the contents of the report and responses received to the consultation;
- ii. approve the proposed set of Model Conditions subject to any amendments the Committee see fit to make.

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Proposed Licensing Act 2003 Model Conditions

Martyn's Law

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, **including all door supervisors**, and all on-duty managers must have completed ACT:Awareness **e-learning** training. In addition, a minimum of 1 on-duty manager **and any on-duty security supervisor/manager** must also **have attended a CT Awareness session delivered by CTPNW-trained personnel as soon as reasonably practicable]**and, if not completed, must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.
2. The Designated Premises Supervisor must **have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council. e]**
3. **There must be** a documented security assessment, which must incorporate counter terrorism measures, for the premises . The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
4. Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take promptly such steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any

remedial action implemented and made available upon request to any police officer or an authorised officer of Manchester City Council.

5. The premises must have a documented **security** plan, which sets out counter measures to be implemented in response to a terrorist attack. **incorporates** the principles of 'Guide', Shelter' and 'Communicate' **(as set out below) as appropriate in conjunction with relevant NACTSO/CPNI guidance-**
 - **Guide** – Direct people towards the most appropriate location (invacuation, evacuation, hide)
 - **Shelter** – Understand how your place or space might be able to lock-down and shelter people within it for several hours
 - **Communicate** – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

The purposes of those procedures and the necessity of following them must be understood by those carrying them out.

Admission and control of entry

6. The designated queuing area shall be enclosed within appropriate barriers and ensure that a minimum width of 1.8m [or specify if greater] is maintained on the footway to allow safe passage by pedestrians.
7. An ID scanning system **or electronic or biometric verification technology** approved in writing by the licensing authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.
8. All persons entering or re-entering the premises must be searched by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].

9. No patron shall be admitted or readmitted to the premises [~~after XX:XX hours~~] unless they have [passed through a metal detecting search arch] [been searched using hand-held electronic search wands] and, if the search equipment is activated, have been physically searched in accordance with a procedure agreed with Greater Manchester Police, which must include a 'pat down search' and a full bag search. Search equipment must be kept in working order.
10. No customer will be permitted to enter or re-enter the premises between the hours of [specify] save for persons who have temporarily left the premises (e.g. to smoke).
11. Between [specified times] no customer will be permitted to enter or leave the premises by means of [specified entrances].
12. No more than [insert number] customers will be permitted on the premises at any one time.
13. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place.

Door supervisors

14. Door supervision must be provided on (specify days / circumstance). Door supervisors must be on duty from [specify hours] and must remain on duty until the premises are closed and all the customers have left.
15. On [specify days/hours], at least [insert number] of SIA registered door supervisors must be on duty at the premises [specify location at the premises] [or as shown on the plan].
16. Door supervisors shall be employed at the ratio of [XX] door supervisor for every 100 customers (or part thereof).
17. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
 - (i) Size of the venue
 - (ii) Expected attendance

- (iii) Type of event taking place
- (iv) Location of the premises
- (v) Time of year
- (vi) Special occasion (New Year, Halloween, Local events etc.)
- (vii) Premises Licence Conditions

18. At least [XX] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.
19. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].
20. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
21. The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
22. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
23. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

Body-worn video

24. On [specify days/hours], [all]/at least [insert number] of SIA registered door supervisors on duty at [specify location at the premises] [or as shown on the plan] must wear working **body-worn video devices** (body cams) **that complies with the minimum requirements of the GMP Police Licensing Team.**
25. A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.

26. Bodycam images must be stored so that they are retrievable and accessible for replay and viewing, and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days. **No recording must be deleted within this period from when it is recorded.**
27. The premises licence holder must ensure at least one member of trained staff ~~be there are members of trained staff~~ at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

CCTV

28. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team.

29. The premises licence holder must ensure that:

- (i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
- (ii) The system records clear images permitting the identification of individuals.
- (iii) The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- (iv) The CCTV system operates at all times while the premises are open for licensable activities [or specify timings].
- (v) All equipment must have a constant and accurate time and date generation.
- (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.

- (vii) There **must be at least one** member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

Preventing illegal drug use

30. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or [designated role-holder at business], shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Greater Manchester Police for appropriate disposal.

Promotional activity

31. The premises licence holder must submit to [insert contact details for Responsible Authority] a completed risk assessment form as prescribed at least 28 days before any event that is
- (i) carried on by any person not affiliated with the venue; and
 - (ii) promoted / advertised to the public.
32. No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

Incident reporting

33. **Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken:** *(delete as appropriate):*
- (i) alleged crimes reported to the venue or by the venue to the police
 - (ii) ejections of patrons
 - (iii) complaints received

- (iv) incidents of disorder
- (v) Seizures of drugs, offensive weapons, fraudulent ID or other items
- (vi) faults in the CCTV system, searching equipment or scanning equipment
- (vii) refusal of the sale of alcohol
- ~~(viii) Any faults in the CCTV system, searching equipment or scanning equipment~~
- (ix) visit by a responsible authority or emergency service
- (x) The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
- (xi) **suspicious behaviour by patrons or members of the public close to a venue**

Incident logs (which may be kept electronically) must be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.

Staff training (alcohol & vulnerability welfare)

34a) All staff authorised to sell alcohol shall be trained in (delete as appropriate):

- (i) Relevant age restrictions in respect of products
- (ii) Prevent underage sales
- (iii) Prevent proxy sales
- (iv) Maintain the refusals log
- (v) Enter sales correctly on the tills so the prompts show as appropriate
- (vi) Recognising signs of drunkenness and vulnerability
- (vii) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- (viii) How to refuse service
- (ix) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; **and how to report issues of modern slavery and trafficking**

- (x) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - (xi) The conditions in force under this licence.
- 34b) Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.
- 34c) Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

Preventing and dealing with drunkenness and vulnerability

35. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
34. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.
35. A Personal Licence holder must be present at the premises to supervise all sales of alcohol.
36. A minimum of [specify] persons must be employed and on duty at the premises between [specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
37. The premises shall provide facilities for customers to securely recharge their mobile phones.

Glassware and use of ice fountains / bottle sparklers

38. Drinks must only be served in polycarbonate/plastic containers [on specified days or events] [upon reasonable notice by Greater Manchester Police].
39. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers [except for consumption in any delineated external area as shown on the plan attached to the licence].
40. Spirit, Champagne and all other glass bottles greater than [70cl] are restricted to customers seated at a [table] [booth] in the delineated area[s] as shown on the plan attached to the licence. These bottles must be secured to the table or ice bucket and must only be dispensed by a member of staff who is trained in the responsible service of alcohol. Customers must not be permitted to leave their table carrying any such bottle, or be permitted to drink directly from the bottle.
41. Ice fountains or similar products (which are classed as HT4 explosives):
- a) Must be kept in their original packaging and only stored in a secure store room or fire-resistant cabinet that the public have no access to. The room/cabinet must be kept locked, except for the depositing or removal of products but must be locked immediately thereafter.
 - b) Their use must be risk assessed in advance and appropriate control measure put in place to reduce the risk to staff and customers, which must include (but is not limited to):
 - (i) staff training in their safe use and dispersal
 - (ii) the provision of appropriate first aid training and equipment
 - (iii) suitability of areas of the premises where the products will be used

- c) The risk assessment and control measures identified must be documented, kept on the premises and made available for inspection to a police, fire or authorised officer upon request.

Preventing underage sales

42. The Challenge [21] [25] scheme must be operated to ensure that any person who appears to be under the age of [21] [25] shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
43. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge [21] [25] scheme is in operation.
44. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
45. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a ~~description of the customer~~, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

Alcohol deliveries

46. The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out (and notify change to this information to the licensing authority within 7 days):

- (i) The trading name of any company that will operate under the licence
- (ii) All telephone numbers that will be used to accept orders
- (iii) The URL/website address that will be used to accept orders.

47. Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.

48. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.

Restaurants and takeaways (alcohol)

49. ~~The premises must only operate as a restaurant:~~

- ~~(i) in which customers are seated at a table,~~
- ~~(ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,~~
- ~~(iii) which do not provide any take away service of food or drink for immediate consumption, and~~
- ~~(iv) where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.~~

50. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway meal.

Restricting alcohol sales in relation to designated special events, eg. football matches

51. Prior to any [designated special event by Greater Manchester Police] ['designated sporting event' (as defined in the Sporting Events Control of Alcohol Act 1985)] the premises licence holder shall ensure that:

- (i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [special] [sporting] event
- (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [special] [sporting] event
- (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [special] [sporting] event
- (iv) On any day where there is a relevant designated [special] [sporting] event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [special] [sporting] event or in the vicinity of the premises as a result of the designated [special] [sporting] event
- (v) All members of staff working at the premises are informed of this condition prior to taking up employment
- (vi) On the day of the relevant designated [special] [sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.

Use of special effects

52. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:

- (i) Dry ice and cryogenic fog
- (ii) Smoke machines and fog generators
- (iii) Pyrotechnics, including fireworks
- (iv) Firearms (eg. Blank firing pistols)
- (v) Lasers
- (vi) Explosives and highly flammable substances

- (vii) Real flame
- (viii) Strobe lighting.

Emergencies

53. The premises licence holder shall ensure that at all times when the public is present there is [at least one] **[an appropriate number of]** competent person[s] able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
54. **The premises licence holder shall ensure that at all times when the public is present there is an appropriate level of medical care for all persons present. The level of provision should be determined by a medical needs assessment.**
55. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
56. All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
57. The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.
58. **A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [or at specified days/times]**
59. **All door supervisors must have emergency first aid at work training.**

Preventing noise and other public nuisances

60. All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
62. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the Council].
63. The location and orientation of loudspeakers must be as specified on the attached premises plan.
64. An [acoustic lobby / acoustic door / acoustic curtains/ acoustic door seals / automatic door closer] must be installed [specify the location / define on plan].
65. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
66. DeliveriesA direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the premises by the public. The telephone must be **staffed** at all times the premises is open for licensable activities.
67. No deliveries or collections relating to licensable activities at the premises will take place between the hours of [insert hours].
68. **The premises licence holder must instruct delivery riders and drivers not to cause a noise nuisance when making deliveries or whilst waiting outside the premises for collections.**

69. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.

36. The premises licence holder shall ensure that all employees of any third party engaged in the delivery of alcohol, i.e., couriers, have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.

37. The premises licence holder will ensure that a sticker is applied to all consignments of alcohol stating “Note to delivery service: this package contains age restricted products. Ensure recipient is over 18” (or similar wording to the same effect).

Smoking and other external areas

70. Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [specify location / mark on plan]. No more than [insert number] of customers will be permitted to remain in the designated smoking area at any one time.

71. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

38. No more than [*insert number*] customers will be permitted to enter or remain in [define outdoor area(s)] of the premises at any one time, between the hours of [specify].

Litter and cleansing

39. At [specify times] [specify areas] outside the premises, including [specify areas] must be swept and/or washed, and litter and sweepings collected and stored [specify storage and collection].

40. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
41. Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
42. Empty bottles which have been collected must be placed into locked bins when deposited outside.
43. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
44. Between the hours of [insert hours] no waste/glass bottles will be moved or deposited outside.

Children on the premises

72. No person under the age of [insert age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
73. The PLH/DPS will provide [specify ratio] adult supervisors at a ratio of [specify ratio] who can provide care for the children as they move from stage to dressing room etc., and to ensure that all children can be accounted for in case of an evacuation or an emergency.
74. The licence holder and/or DPS shall ensure that any child performer is licensed with Manchester City Council's Licensing Unit and accompanied by a registered chaperone. Documented records should be kept for six months, including the child's name, their licence number and chaperone details.
75. Where children are allowed on the premises, information shall be displayed [location] on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Manchester City Council via its Contact Centre on 0161 234 5000 or mcsreply@manchester.gov.uk, or the NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.

Late night refreshment

76. Any hot food or hot drink provided after 11pm (late night refreshment) under this licence must only be consumed on the premises.
77. Between [specify hours from 11pm/days] customers must not be permitted to remove from the premises any hot food or hot drink (late night refreshment) provided at the premises.

Large events

78. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority.

Boxing and wrestling (including MMA and other combat sports)

79. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. The Plan must set out (but is not limited to):
 - (i) how fighters will be matched
 - (ii) the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
 - (iii) fighter details
 - (iv) layout of the venue
 - (v) competition rules
 - (vi) referee details including qualifications.

Adult entertainment

80. The premises may not show R18 films without the benefit of a sex cinema licence.
81. No person under the age of 18 will be permitted to enter or remain on the premises when any “relevant entertainment” (as defined in Schedule 3 to

the Local Government (Miscellaneous Provisions) Act 1982 is taking place.

For reference:

Relevant entertainment is 'Any live performance or any live display of nudity, which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

Display of nudity means in the case of a women - exposure of her nipples, pubic area, genitals or anus; and
in the case of a man - exposure of his public area, genitals or anus.

The audience can consist of one person.

Dispersal

82. The dispersal of customers from the premises must be managed in accordance with the following:
- (i) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
 - (ii) Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents
 - (iii) A [specify minutes] period where [music volume is reduced / lighting increased / alcohol sales cease].
 - (iv) A suitable member of staff or a Door Supervisor[s] will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly, and to prevent patrons from re-entering the premises, and shall deter customers from using private hire vehicles without a prior booking
 - (v) All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.

83. From no later than 1 hour before the premises closes to the public, a member of staff shall be dedicated to monitor the dispersal of customers and ensure patrons do not contribute to anti-social behaviour in the vicinity. They will be easily identifiable by way of their uniform or high visibility jacket / vest; will have a detailed knowledge of all transport options in the area and provide directions for patrons who may be loitering in the vicinity of the premises.

Additional Conditions in line with the Chairman of the Manchester Arena Inquiry

- 84. Reasonable steps must be taken to ensure all persons employed at the premises are aware of:**

- a. the current terrorist threat level; and**
- b. what that level means in relation to the possibility of an attack**

- 85. All risk assessments for public entertainment venues must include consideration of the risk of a terrorist attack.**

- 86. All persons responsible for security must be briefed at every event about the current threat level and risk of terrorist attack.**

- 87. All public facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. Any and all suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made and action taken, if appropriate.**

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LICENSING SAVI™

A self-assessment tool designed to assist licensees in providing a safe and secure environment



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VULNERABILITY
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- Prevention of Public Nuisance
- Prevention of Crime and Disorder
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- Public Safety





Licensing SAVI will:

- provide Covid-19 guidance and advice
- provide you with definitive information on effective management practices and operational security as well as some practical examples, some of which you may not have considered before
- demonstrate your due diligence to the Licensing Act 2003 Responsible Authorities
- form part of your Licensing Act Application and also assist you with future refurbishments to ensure the highest levels of safety and security are achieved
- help you prioritise improvement and build upon areas of existing good practice to further raise your safety and security standards to become more successful and profitable
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Licensing SAVI has been developed, at the request of the Home Office, by Police Crime Prevention Initiatives (PCPI), a police owned organisation that works on behalf of the Police Service to deliver a wide range of crime prevention and demand reduction initiatives.

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An introduction to protective security for owners and operators of publicly accessible locations

Recent years have seen an increase in terrorist attacks in publicly accessible locations, i.e. locations that people visit, congregate in, or transit through. A defining feature of such attacks is the targeting of people, whether randomly, or as representatives of specific groups (e.g. relating to race, religious beliefs, etc).

Any publicly accessible location is a potential target, and it is therefore essential that the owners and operators of all such locations understand the risks they face and consider appropriate mitigations.

This section is intended to introduce protective security for owners and operators of publicly accessible locations – whether businesses, or other organisations operating in permanent premises or the organisers of temporary events, or those with wider interests in public security such as public authorities.

It is worth noting that improvements made to security from a counter-terrorism (CT) perspective are likely to have wider benefits, potentially reducing other crime and antisocial behaviour. Similarly, existing or new security measures implemented for other purposes can have a counter-terrorism benefit.

An important tenet of protective security is that it should, wherever possible, utilise simple, affordable interventions that protect and reassure the public and deter would-be attackers, with no (or minimal) adverse impact on the site's operation or people's experience. Whilst an extensive pallet of countermeasures is available, many of the more complex and costly ones – particularly specialist physical security products – will be more relevant to larger sites likely to host higher visitor footfalls and/or crowds.

It is important to consider **security as a system**, a combination of physical and/or behavioural interventions deployed in a complementary manner to mitigate key risks. Getting the “people” aspects right (e.g. developing and sustaining a security culture, encouraging vigilance, and providing appropriate and effective training) is at least as important as selecting (and correctly installing) physical security measures (such as security doors, blast-resistant glazing, fences, bollards, CCTV, electronic access control and intruder detection systems). Further advice and guidance is available on [the NaCTSO website](#) or from your local [Counter Terrorism Security Advisor \(CTSA\)](#). Where you believe, based on your risk assessment, that you may need such measures, you may also wish to seek independent expert advice (<https://www.cpni.gov.uk/cpni-working-security-professionals>). Even where appropriate measures are selected that appear to match a site's needs, ensuring they are installed and operated to provide effective capability (and properly complement other security measures) is crucial.

Key initial steps are **understanding threat and risk**:

- Understanding the terrorist threat – noting that terrorist groups, their motivations and target preferences and attack methodologies can differ and tend to change over time.
 - A useful level of awareness can be achieved by following open source media reporting of recent attacks and their methodologies, understanding

and monitoring the National Threat Level (<https://www.gov.uk/terrorism-national-emergency>), and browsing relevant government websites (e.g. <https://www.cpni.gov.uk/terrorism>).

- Understanding the specific risks the threat poses for your site and / or organisation - how and why your site / organisation might be affected, either by being targeted directly; or through indirect impacts, due to its location in a particular area or because of its proximity to neighbouring sites, businesses, or organisations that may be targeted.
 - You should undertake a risk assessment to identify and record terrorism risks and appropriate mitigations. This should be aligned with your organisation's / site's wider assessment of risks and their management.

In order to maximise their likelihood of success, terrorists are likely to undertake research and planning activity in preparation for an attack; this can include visiting potential target locations ("**hostile reconnaissance**"), as well as conducting research online.

Consider what you and your colleagues (whether employees, contractors or volunteers) can do to make it harder for a would-be terrorist to carry out a successful attack, for example by:

- Being alert to suspicious behaviours and activity in and around your site, such as people loitering or displaying an unusual level of interest in asking questions, or filming or photographing. Note that you and your staff are well placed to know what is "normal" in your environment, and hence what may be suspicious. Where it feels safe to do so, consider engaging the person in a welcoming and helpful manner; if you have any concerns, consider reporting them to the police. Similarly, you and your colleagues should be alert to abandoned bags and other left items, and report any you deem suspicious to the police.
- Being security-minded in your communications, particularly online. Wherever possible, include positive general messages demonstrating your commitment to ensuring the security and safety of visitors and staff. Avoid providing specific information that could help a terrorist plan an attack, for example floor plans containing more detail than is necessary to assist customers with planning their visit, or details of where and when security patrols do (and don't) take place.
- Encouraging and enabling a security culture in the workplace, for example ensuring that any concerns can easily be reported and will be acted upon and ensuring that managers lead by example and avoid giving mixed messages.

Consider how you and your staff would respond to an incident occurring outside or near to your building or site, or inside it. Remember that every second counts.

- How quickly would you become aware of what was going on?
- How would you respond?
- Would you and your staff be able to act quickly enough to move yourselves and visitors to safety?
- What can you do to prepare for such an eventuality?

ACT Awareness e-Learning (Action Counters Terrorism), has been developed by Counter Terrorism Policing to provide nationally recognised corporate CT guidance to help

people better understand, and mitigate against, current terrorist methodology. It is available to all organisations, their staff and the general public (<https://www.gov.uk/government/news/act-awareness-elearning>).

For many organisations, security arrangements will be enhanced by developing relationships with neighbouring businesses and organisations, for example working together to make the local environment harder for would-be terrorists to operate in, including enabling the rapid exchange of information on suspicious activity and potential incidents. It is also advisable to engage with your local CTSA and neighbourhood policing team.

Take care to ensure that any security measures / plans don't conflict with health and safety requirements and fire regulations.

Remember to **review and refresh** (where appropriate) your risk assessment, your plans and mitigations, including your staff's awareness of the threat and how to respond. Routine reviews should be undertaken regularly, with reviews also carried out if there are changes to the threat – either in terms of national threat level (indicating the likelihood of an attack) or as a result of incidents that demonstrate a shift in attack methodology.

Further information

- Counter Terrorism Policing and its National Counter Terrorism Security Office (<https://www.gov.uk/government/organisations/national-counter-terrorism-security-office>)
- Centre for the Protection of National Infrastructure (www.cpni.gov.uk)

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8 July 2021

To the Chairman of the Licensing Committee

Dear Councillor

The coronavirus pandemic has caused unprecedented disruption and hardship since March 2020. The impacts have affected many businesses, and the hospitality industry in particular, with limited opportunities to react and adapt. As we emerge from this exceptionally difficult time, many of these impacts will continue.

One of the key problems that hospitality businesses now face is a lack of resources including staff. This is a particularly serious problem when it comes to complying with licence conditions that depend upon staff resources.

The night-time economy is in the middle of a particular crisis concerning security professionals. There is a grave shortage of security staff available for work, and this has been compounded by more stringent new training standards introduced by the Security Industry Authority for those wishing to enter. Even the limited numbers coming forward to qualify are too often failing to do so. Often, the numbers are simply not there to service full licence requirements, and there is nothing that the security industry, or the licensees can do about it. This problem is not going to go away.

The Government recently announced its consultation on the Duty to Protect. This aspiration to increase security provision in the public and private sector is only going to deepen the crisis.

We are writing to you at this time to make you aware of the issues, and to ask that you take them into account in making case by case licensing decisions.

On 8 April 2020, Kit Malthouse, the Minister of State for Crime and Policing wrote to the Chairs of Licensing Committees, to invite them to take “a pragmatic and more flexible approach” to licensing while the outbreak was ongoing.

He said: “Retailers may be operating under licences with conditions that may prove difficult to comply with in the current period due to absenteeism. These include, but are not limited to, conditions that mandate the minimum number of staff or door supervisors on site, training requirements or attending external meetings.... A considered and pragmatic

approach should be taken to breaches of licence conditions and procedural defects caused by the COVID-19 pandemic, particularly where these breaches or defects do not have a significant adverse impact on the licensing objectives. Licence holders must rectify any breaches as soon as reasonably practicable.”

This continues to be very important even as we emerge from the worst restrictions of the pandemic. Partnership working with businesses, to allow them to recover and make their contribution to the economy has never been more important. We hope that highlighting this crisis will assist in making informed and proportionate decisions.

Sincerely



Daniel Davies
Chairman
Institute of Licensing



Michael Kill
CEO Night Time Industries Association /
Chairperson UK Door Security Association

**Manchester City Council
Report for Information**

Report to: Licensing Committee – 19 July 2021

Subject: Review of Gambling Policy

Report of: Director of Planning, Building Control and Licensing

Summary

This report presents the Committee with a draft statement of our revised Gambling Act Policy and informs them of the method of consultation we propose to implement.

Recommendations

Members are asked to note the contents of the report and provide any recommended alterations.

Wards Affected: All

Environmental Impact Assessment - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
None

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	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.
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.

<p>A liveable and low carbon city: a destination of choice to live, visit and work.</p>	<p>The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place-based interests. The authority must aim to permit gambling insofar as doing so is reasonably consistent with the licensing objectives of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable people from being harmed or exploited by gambling.</p>
<p>A connected city: world class infrastructure and connectivity to drive growth</p>	<p>Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.</p>

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

1. Introduction

- 1.1 The Gambling Act received royal assent in April 2005 and consolidates regulation of casinos, bingo, gaming machines, lotteries, betting and remote gambling in one Act.
- 1.2 The Act established a non-departmental public body – the Gambling Commission – which has responsibility for advising both central and local government on issues relating to gambling. In addition, the Gambling Commission has responsibility for issuing Operating Licences and Personal Licences to organisations and individuals who wish to undertake certain activities under the Act.
- 1.3 The Gambling Commission is required by section 25 of the Act to issue Guidance to licensing authorities on the discharge of their functions under the Act. This Guidance deals primarily with matters intended to assist licensing authorities in the development of their gambling policy and sets out the principles that must be applied by the licensing authority in exercising its functions under the Act.
- 1.4 The City Council has responsibilities under the Act to issue premises licences, permits and temporary use notices in respect of premises where it is proposed that gambling should take place. Additionally, the City Council will continue to be responsible for the registration of Small Society Lotteries.
- 1.5 Members will be aware that under the Act the Council, as Licensing Authority, is required to produce a policy every three years setting out how it intends to implement the Act. Our next revision is required to be in place with effect from January 2022.

2. Proposed revisions to the Policy

- 2.1 Greater Manchester licensing leads have collaborated on this revised policy in conjunction with public health leads working as part of the GM Gambling Harm Reduction programme.
- 2.2 The revised policy is intended to provide a clear and consistent approach to what considerations will be taken into account when licensing gambling premises and the activities carried on at them.
- 2.3 A copy of the amended policy is attached at Appendix 1.

3. Consultation Strategy

- 3.1 The Gambling Act 2005 requires us to consult with various groups before we determine our policy.
 - The chief officer of police for Manchester
 - One or more persons who represent the interests of gambling businesses in Manchester

- One or more persons who appear to represent the interest of persons who are likely to be affected by the implementation of the Gambling Act in Manchester

3.2 We will also consult with:

- The Responsible Authorities who are consulted on Gambling applications in Manchester (Greater Manchester Police, Planning, Environmental Health, Child Safeguarding Board, Greater Manchester Fire and Rescue Service, HM Revenue and Customs, Gambling Commission)
- All Ward Councillors of Manchester City Council
- All Strategic Area Managers
- Gamcare
- All gambling premises in Manchester
- Gambling Trade Associations
- Cityco
- Public Health

3.3 The proposed revised policy will also be made available on the Public Consultations page of the council's website.

3.4 The attached draft policy has been prepared for public consultation. Subject to approval by the Licensing Policy Committee, a 8-week public consultation would start. The final policy taking account of consultation responses will then be presented to the Licensing Policy Committee and then require the approval of full Council.

4. **Recommendation**

4.1 Members are asked to note the contents of the report and agree the attached draft policy and consultation strategy outlined above.

5. **Key Policies and Considerations**

5.1 The proposals relate the Council's Gambling Policy, also referred to as its Statement of Principles, under the Gambling Act 2005.

6. **Conclusion**

6.1 A copy of the draft policy is attached at Appendix 1.

6.2 The Committee is asked to consider the draft policy and provide any suggested amendments.

GM Statement of Principles under the Gambling Act 2005

Table of Contents

1. Foreword	4
2. Introduction	5
Publication of this Policy	6
Manchester	7
3. General principles	14
Other regulatory regimes	14
Responsible Authorities.....	14
Public Health	15
Determining whether a person is an interested part in relation to a premises licence, or an application for or in respect of a premises licence	17
Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act.....	18
Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section	19
Commenting on a licence application.....	21
Factors that will not be relevant.....	21
Split Premises	22
Premises “ready for gambling”	22
Applications and plans	23
Tracks	24
4. Determining Premises Licences	25
How the Licensing Authority decides whether to grant or refuse an application	25
How the licensing committee decides what conditions to apply to premises licences	25
Determining whether to review a licence.....	27
5. Relevant factors when considering applications and reviews	29
Location of the premises	29
Gambling-related harm	30
Local risk assessments	31
Local Area Profile.....	34
How the premises will operate consistent with the licensing objectives.....	35
Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:	35
Ensuring that gambling is conducted in a fair and open way.....	37
Protecting children and other vulnerable persons from being harmed or exploited by gambling.....	37
Expectations of operators: Staffing provision.....	40
Expectations of operators: Data gathering and sharing.....	40
Expectation of applicants: Staff Training and Knowledge.....	41
Expectation of applicants: Gaming machines / layouts	42

6. Premises-specific considerations.....	44
Adult Gaming Centres.....	44
Casinos	44
'No Casinos' resolution.....	44
Bingo premises	45
Electronic bingo gaming machines	46
Gaming machines at bingo premises	46
'Entertainment' Bingo	47
Betting Premises.....	48
(Licensed) Family Entertainment Centres	49
Occasional use notices.....	49
7. Permits and other permissions.....	50
Alcohol Licensed Premises Gaming Machine Permits	50
Prize Gaming Machine Permits.....	50
Unlicensed FECs (uFEC)	51
Small Society Lotteries	51
8. Appendix 1 –Responsible Authorities.....	53
Licensing Authority	53
Environmental Health.....	53
Greater Manchester Police	53
The fire and rescue authority	53
Safeguarding Board	54
HM Revenue & Customs.....	54
Planning.....	54
Gambling Commission	54
Applications must be submitted to:	54
9. Appendix 2 – Template for data collection	55
10. Appendix 3 - Glossary.....	56

1. Foreword

1.1

To be published

2. Introduction

2.1 As the licensing authority, we are required to perform the following functions under the Gambling Act:

- 1) Be responsible for licensing premises where gambling activities are to take place by issuing premises licences
- 2) Issue provisional statements where it is proposed that gambling activities will take place but a premises is not yet ready for use
- 3) Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
- 4) Issue club machine permits to commercial clubs
- 5) Issue permits for unlicensed Family Entertainment Centres where Category D machines may be used
- 6) Receive notifications from premises licensed for on-sales of alcohol for use of two or fewer Category C or D gaming machines
- 7) Issue licensed premises gaming machine permits for premises licensed for on-sales of alcohol for use of two or more Category C or D machines
- 8) Register small society lotteries
- 9) Issue prize gaming permits
- 10) Receive and endorse Temporary Use Notices for temporary use of premises for gambling
- 11) Receive Occasional Use Notices for betting at tracks

2.1. Gambling is defined in the Act as either gaming, betting or taking part in a lottery

2.2. Gaming' means playing a game for the chance to win a prize.

2.3. 'Betting' means making or accepting a bet on:

- the outcome of a race, competition or other event
- the likelihood of anything occurring or not occurring
- whether anything is true or not.

2.4. A 'Lottery' is where participants are involved in an arrangement where prizes are allocated wholly by a process of chance.

- 2.5. The responsibility for regulating gambling is shared between the Gambling Commission and local authorities. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the internet, television or radio.
- 2.6. We are also required to:
- Provide information to the Gambling Commission regarding details of licences issued
 - Maintain a register of the permits and licences that are issued under the functions above.
- 2.7. The council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant. All decisions made by the licensing authority in relation to premises licences (and some other authorisations – see specific sections for details) are based on the Act, relevant guidance, Codes of Practice, our Gambling Policy and the three licensing objectives. These objectives are:
- Preventing gambling from being a source of crime or 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
- 2.8. In the case of premises licences (and some other authorisations – see specific sections for details), the licensing committee will permit gambling only so far as it is reasonably consistent with these three objectives.

Publication of this Policy

- 2.9. Licensing authorities have a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles they propose to apply in exercising functions under the Gambling Act 2005.

- 2.10. The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.
- 2.11. The authority is one of the 10 Metropolitan Districts of Greater Manchester. In Greater Manchester we have a shared aim reducing gambling related harms, our approach focuses on preventing gambling harms from occurring, as well as improving how we support our residents who are already experiencing harms, either directly or as a result of someone else's gambling. The renewal of licensing policies presents an opportunity for local authorities to embed these principles. Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies.
- 2.12. The following people and organisations have been consulted in preparing the statement:
- [to be completed with summary of consultees]
- 2.13. The Authority consulted upon this Policy before finalising at a full Council meeting held on the [enter date].

Manchester

- 2.14. Manchester is the original modern city and the economic engine of the North West. With a concentration of people and business activity without parallel in the northern England, Manchester's high economic productivity is essential to the North and the City Region. Manchester is at the heart of Greater Manchester and it is the North West's regional centre for finance, commerce, retail, culture and leisure, and is home to a major international airport and one of the largest student populations in Europe.
- 2.15. Manchester has undergone a remarkable transformation since the mid 1990s. High quality new buildings and strong urban design have helped create a distinctive and contemporary City Centre. The City has also been home to many successful regeneration projects including the redevelopment of Hulme, which acted as a model for Manchester's approach to regeneration, and the creation of Eastlands.
- 2.16. Manchester has led the revival of city centre living. This level of indigenous population has added not only to the economy of the City, but also to its vitality, offering animation and activity around the clock.

- 2.17. Manchester is dynamic and creative because it is incredibly diverse with a rich mixture of cultures, origins, languages, customs and lifestyles. People are welcomed from all over the world for the contribution they can make. The gay community and black and minority ethnic groups have helped shape the City's success and style.
- 2.18. As the central hub of the regional transport network, Manchester is easily accessible and provides a fifth of all jobs in the City Region. Manchester's economic growth has been driven by the rapid expansion of a number of sectors including commercial and professional services, science and research, culture and media, advanced manufacturing and ICT. It is now one of the top European cities for business locations.
- 2.19. Manchester is a centre of excellence for research and learning. It is home to several institutions of higher education including the University of Manchester, the Manchester Metropolitan University (MMU), the Royal Northern College of Music, the Central Manchester University Hospitals and the University Hospital of South Manchester.
- 2.20. Manchester has one of the largest student populations in Europe, with over 90,000 students at Greater Manchester's five universities, and over 380,000 students at the 22 Higher Education Institutions (HEIs) within an hour's drive. There were 74,164 students enrolled at one of Manchester's three HEIs in 2017/18, of which 48,393 had a term time address in Manchester (HESA). Of the remaining c.25,000 students, a significant proportion live at home with their families across Greater Manchester and beyond.
- 2.21. Manchester universities have a high retention rate of students, with over 50% of students staying in the city after graduating.
- 2.22. Despite the high levels of students, Manchester also has a higher proportion of residents with no formal qualifications which acts as a major barrier to accessing the jobs available.
- 2.23. Manchester has a relatively high rate of worklessness, due to high unemployment amongst those registered as disabled and the proportion of the population dependent upon income support. Many of the residents claiming out of work benefits are lacking the appropriate skills which would help them secure the growing number of job opportunities in the City. The skills gap between residents and available work is a key challenge for Manchester.
- 2.24. We keep records of the [data and intelligence about income and welfare benefits](#).

- 2.25. As of October 2020, there were 34,515 unemployed in Manchester. This figure is made up of residents in Manchester claiming Jobseekers Allowance (JSA) and Universal Credit (UC) and representing 8.86% of residents aged 16-64.
- 2.26. Whilst the economy has been restructured and new jobs are being created, the City is still tackling the social, physical and environmental legacy of years of economic decline. According to the 2019 Index of Multiple Deprivation (IMD), [Manchester ranks 6 out of 326 local authorities in England](#), where 1 is the most deprived.
- 2.27. The health of Manchester's residents is also amongst the worst in the country, On 30 June 2021, the Institute of Health Equity published the [results of its work with Greater Manchester](#). The work with Greater Manchester, to inform and support action on health inequalities, began in 2019. It was already the case that health in Greater Manchester, along with the rest of the North West, had suffered more than areas of England in the South during the decade of austerity and regressive funding allocations. Then came the pandemic, and made it all worse: exposing the underlying inequalities in society and amplifying them. Covid-19 mortality was 25% higher in Greater Manchester than in England as a whole, and the social gradient in mortality from covid-19—a close link between deprivation and mortality—was steeper in Greater Manchester. The effect of the pandemic was dramatic. During 2020, life expectancy fell by 1.2 years in women in the North West and 1.6 years in men; compared to a fall in England of 0.9 and 1.3 years.
- 2.28. Manchester has achieved exceptional growth over the past two decades, with very significant increases in the city's population and sustained economic growth, helped by major investment and strong partnerships. The city's assets, infrastructure, innovation, population and skills have enabled the city to be more resilient to the last recession than many other parts of the UK, and have powered growth over the past decade.
- Population: Strong level of population growth as more graduates and young adults are attracted by new housing and career opportunities in the city, increasing the number of residents aged 25–39. Source: Manchester City Council Forecasting Model S2020 (forecast does not include impact of COVID-19)
 - 627,000 residents expected by 2025
- 2.29. Developing a more inclusive economy and society is a key challenge identified in the city's Our Manchester Strategy. This means connecting all the citizens of Manchester to

the opportunities of economic growth and tackling the significant inequalities among Manchester's diverse communities.

2.30. Deprivation, poverty and health outcomes were significant challenges before COVID-19, and the pandemic has heightened inequalities right across the city:

- Family poverty: 45,150 children living in poverty, after housing costs taken into consideration in March 2019. Affecting around 40.6% of those aged under 16, this rate is significantly higher than the UK average. COVID-19 update: During May 2020 at the height of the pandemic, 3,177 households signed up to receive food response support. Source: Research by the Centre for Research in Social Policy at Loughborough University for the End Child Poverty Coalition
- Rough sleeping: 91 people were counted as sleeping rough in Manchester city centre in 2019, compared to 123 in 2018. However, as a rate per 10,000 households (4.2) this is more than twice the national average (1.8).
- Unemployment benefits: Significant increase in ONS claimant count between March 2020 and August 2020; unemployment claimant rate almost doubled, from 4.6% to 9.1%.

2.31. Manchester is at a critical point, due to the combined challenges of the continued impacts of COVID-19, the UK exiting the EU, and the uncertainties in our well-established international relationships and trade. Adapting and mitigating the impact of climate change is a major challenge given the city's zero-carbon ambitions, but also an opportunity to build into our recovery plans.

2.32. Our Economic Growth Plan sets out the importance of investing in our people, our places, and our prosperity to continue to strengthen our role in driving economic growth throughout the North and beyond the boundaries of the city. The next phase of public-service reform and health and social-care integration will require redoubling efforts to connect all our residents to the opportunities of economic growth and reduce demand

Our Manchester Strategy

2.33. The [Our Manchester Strategy](#) was formally adopted by the Council in January 2016 and was launched in March 2016, setting out our long-term vision for Manchester's future and providing a framework for action by us and our partners across the city.

2.34. The overarching vision is for Manchester to be in the top flight of world-class cities by 2025:

- With a competitive, dynamic and sustainable economy that draws on our distinctive strengths in science, advanced manufacturing, culture, creative and digital business, and that cultivates and encourages new ideas
- With highly skilled, enterprising and industrious people
- A city connected internationally and within the UK
- A city that plays its full part in limiting the impacts of climate change
- A city where residents from all backgrounds feel safe, can aspire, succeed and live well
- A clean, attractive, culturally rich, outward-looking and welcoming city

2.35. Halfway through the original Strategy, we reset priorities for the years to 2025, acknowledging – but looking beyond – current challenges, to make sure the city achieves its ambition.

2.36. The reset of our goals is based on over 3800 consultation responses during summer 2020.

2.37. Our communities want a renewed focus on young people, our economy, health, housing, our environment and infrastructure.

2.38. Through each priority runs Manchester’s commitment to build a more equal, inclusive and sustainable city for everyone who lives, works, volunteers, studies and plays here. Only by working together can we achieve our vision by making an impact on our priorities of making Manchester:

- A thriving and sustainable city
- A highly skilled city
- A progressive and equitable city
- A liveable and zero-carbon city
- A connected city

2.39. We’ll be tracking progress of the strategy year-on-year in the [State of the City](#) report.

2.40. Implementing the strategy is overseen by the Our Manchester Forum made up of partners from across the city.

2.41. Our detailed plans for supporting the delivery of our high-level framework for action are:

- Developing a More Inclusive Economy – Our Manchester Industrial Strategy – establishes priorities for the city to create a more inclusive economy that all

residents are part of and can benefit from. Crucial to it are: the Manchester Economic Recovery and Investment Plan; and the Greater Manchester Good Employment Charter.

- Work and Skills Strategy – aims to develop a work and skills system that meets the needs of all businesses, and support residents from all backgrounds to get skills and attributes employers need.
- Children and Young People’s Plan–Our Manchester, Our Children 2020–2024 – how the city will build a safe, happy, healthy and successful future for children and young people.
- Manchester: A Great Place to Grow Older – Manchester’s vision to continue being an Age Friendly city.
- Family Poverty Strategy 2017–2022 – aims for everyone in the city to have the same opportunities and life chances, no matter where they are born or live.
- Our Healthier Manchester Locality Plan – details the strategic approach to improving health outcomes for residents whilst creating sustainable health and care services.
- Manchester Population Health Plan 2018–2027 – long-term plan to tackle entrenched health inequalities.
- Local Plan – the spatial framework for the city setting out development guidance; due to be published in 2023.
- Residential Growth Strategy 2015–2025 – guides Manchester’s approach to housing development and supply.
- Manchester Climate Change Framework 2020–2025 – how we plan to tackle climate change and reduce the city’s carbon footprint.
- Green and Blue Infrastructure Strategy – improving green spaces and waterways.
- Digital Strategy – how we will achieve our digital ambitions.
- City Centre Transport Strategy – key transport policies and opportunities for the future.
- Clean Air Plan – proposals to decrease air pollution in Greater Manchester.
- Greater Manchester Strategy – the city region’s ambition to make Greater Manchester the best place to grow up, get on and grow old.

Powering Recovery

- 2.42. [Powering Recovery: Manchester's Economic Recovery and Investment Plan](#) has been produced by Manchester City Council, in partnership with the private sector, and complements the Greater Manchester Combined Authority and Greater Manchester Local Enterprise Partnership city region proposals.
- 2.43. It sets out what Manchester is doing to sustain the economy and its people, and what Manchester proposes to do in the future in response to the COVID-19 pandemic, as well as other challenges and opportunities. This is a positive statement about Manchester's future, while recognising the challenges and impact of COVID-19 on Manchester's people and public/community services.
- 2.44. The opportunities identified in the Our Manchester Industrial Strategy are more relevant than ever; if anything, the need to re-establish economic growth and investment momentum has reinforced the three-pillar approach based on:
- People:** Equip residents and workers with the qualifications and softer skills that will enable them to access more opportunities.
- Place:** Ensure sustainable growth is achieved in key assets, including the city centre and around the Airport. Create the conditions that will deliver a more inclusive, zero-carbon economy by investing in transport infrastructure, digital infrastructure and the environment.
- Prosperity:** Create higher-quality job opportunities, including better pay, improved working conditions and flexibility, particularly within the foundational economy.
- 2.45. Establishing sustainable growth in people and skills is a high priority, as is long-term sustainability in our place and assets, which is critical to the future development of the city.
- 2.46. The Manchester Climate Change Framework outlines our strategy towards making Manchester a thriving, zero-carbon, climate-resilient city, which this plan will help to deliver.

3. General principles

- 3.1 In making decisions on premises licences, the licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it:
- In accordance with any relevant code of practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the authority's statement of licensing policy
- 3.2 As the licensing authority, we will regulate gambling in the public interest, which will be reflected in this policy statement.
- 3.3 This policy statement does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
- 3.4 This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence.
- 3.5 Each application will be considered on its merits in accordance with the requirements of the Gambling Act and without regard to demand.

Other regulatory regimes

- 3.6 The licensing authority will avoid duplication with other regulatory regimes, so far as possible. A range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

Responsible Authorities

- 3.7 Responsible Authorities are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to one or more of the licensing objectives.
- 3.8 Section 157 of the Act defines those authorities. For this area they are: -
- The Gambling Commission
 - Greater Manchester Police

- Greater Manchester Fire and Rescue
- The Planning Authority
- The authority which has functions in relation to pollution to the environment or harm to human health
- Manchester Safeguarding Partnership
- HM Revenue and Customs
- The Licensing Authority.

3.9 The contact details of all the Responsible Authorities are available are set out in Appendix 1.

3.10 The licensing authority has designated the Manchester Safeguarding Partnership as the body that is competent to advise it about the protection of children from harm. The principles that have been used in making this designation is that the board is:

- responsible for the whole of the licensing authority's area
- answerable to democratically elected persons

Public Health

3.11 While for some gambling is an enjoyable activity, it is a source of harm for many.

3.12 Research suggests that in a city-region like Greater Manchester there are approximately 39,000 people living with a gambling disorder, with a further 118,000 at risk, however we know that self-reported surveys underestimate true prevalence of harm given the unfortunately shame and stigma associated with gambling disorder. For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Greater Manchester	2,148,660	38,676	118,176
Bolton	216,920	3,905	11,931
Bury	145,880	2,626	8,023
Manchester	416,480	7,497	22,906
Oldham	173,900	3,130	9,565

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Rochdale	164,820	2,967	9,065
Salford	192,840	3,471	10,606
Stockport	227,920	4,103	12,536
Tameside	173,960	3,131	9,568
Trafford	179,920	3,239	9,896
Wigan	256,020	4,608	14,081

- 3.13 Anyone who gambles is vulnerable to harm. Men, younger adults (aged 18-34) and adults from a lower socioeconomic or black and minority ethnic backgrounds are more likely to be classified as gamblers experiencing some level of harm. Gambling related harms are often described at an individual level, however these harms have a wider impact on communities and society with costs to the UK as a whole estimated at being between £260m and £1.16bn.
- 3.14 People living with, or at risk of developing, a gambling disorder may experience stress, anxiety and depression, financial losses, debts and exhibit compulsive behaviours, such as chasing losses. Gambling related harms may accrue over a long period of time or very quickly at a time of crisis, many harms have a lasting legacy beyond initial recovery from gambling disorder. Harms associated with gambling include poor mental health and wellbeing, relationship breakdown, neglect of other priorities in life, poor performance at work or school and criminal activity. It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.
- 3.15 Awareness of gambling harms as an emerging public health problem has increased in recent years, however Public Health are not a responsible authority under the Gambling Act 2005. Nonetheless, the licensing authority will consult the Director of Public Health on all premises licence applications and will advise the Director of Public Health to consider the use of the Gambling Commission's toolkit for public health and safeguarding: <https://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensingauthority-toolkit/Public-health-and-Safeguarding-toolkit.aspx>
- 3.16 Greater Manchester has a gambling harms reduction programme (which aims to reduce the harms caused by gambling to the population. Licence applicants and holders will be expected to show how they are actively protecting the local population from gambling

harms with their processes and operations, and consider how the location, opening hours and promotion of their activities can minimize opportunities for harm to the vulnerable groups listed above. Section 5 of this document on protecting vulnerable groups highlights some of the standards licence holders are expected to meet to minimize harm to customers and local residents.

- 3.17 The licensing authority recognises that local authority public health teams can offer insights from those impacted by gambling harms and offer contextual information about treatment and support in the local area and can add value to the licensing application process where there are concerns raised about risk of harm to vulnerable groups locally.
- 3.18 Greater Manchester's gambling harms reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations.

Determining whether a person is an interested part in relation to a premises licence, or an application for or in respect of a premises licence

- 3.19 For the purposes of the Gambling Act, an 'interested party' is:
- a) Someone who lives sufficiently close to the premises to be likely to be affected by the gambling premises
 - b) Has business interests that might be affected by the authorised activities
 - c) Represents persons who satisfy paragraph (a) or (b)
- 3.20 Whether or not a person is an 'interested party' is ultimately the decision of the Licensing Authority which issues the licence or to which the application is made.
- 3.21 To determine who lives 'sufficiently close to the premises to be likely to be affected by the gambling premises', we will consider the following on a case-by-case basis:
- The size of the gambling premises
 - The nature of the gambling premises
 - The distance of the premises from the address of the person making the representation
 - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)

- the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises e.g. 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
- The 'catchment' area of the premises (i.e. how far people travel to visit it).

3.22 Having a 'business interest' will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The licensing authority will consider the following factors relevant when determining whether a person's business interests may be affected:

- The size of the premises
- The 'catchment' area of the premises (i.e. how far people travel to visit it)
- whether the person making the representation has business interests in the affected catchment area

3.23 In so far as who represents persons who satisfy paragraphs (a) or (b), this would include for example:

- i. Residents' associations and tenants' associations
- ii. Trade associations and trade unions
- iii. Any other person with written permission from somebody who satisfies paragraph (i) or (ii)
- iv. Local councillors and MPs

Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act

- 3.24 The licensing authority may share application information received in the course of processing applications with the Gambling Commission, a constable or police force, an enforcement officer, another Licensing Authority, her Majesty's Commissioners of Customs & Excise, The Gambling Appeal Tribunal, The National Lottery Commission, The Secretary of State or Scottish Ministers.
- 3.25 We will abide by the Freedom of Information Act and the General Data Protection Regulation (GDPR) in its safeguarding/release of information or data.

- 3.26 In the context of the Gambling Act, we will retain only that information which relates to the processing of applications for licences, permits, permissions and representations. Applications and representations in respect of applications are both in the public domain and are therefore available on request and may be published as part of our web register. Personal addresses/contact numbers attached with representations may also be released. Information may also be shared with other Gambling Act regulators or other parties prescribed by the Secretary of State.
- 3.27 Licensing authorities have statutory duties to notify the Commission as well as the applicant and other responsible authorities of the grant/rejection of applications (new, variations, transfers etc) as well as the revocation, surrender or lapse of a premises licence using the correct statutory forms.
- 3.28 We will inform the Gambling Commission without delay if:
- The Licensing Authority receives information that causes it to question the suitability of the person holding/applying to hold an operating licence
 - There are persistent or serious disorder problems that an operator could or should do more to prevent, so that the Commission may consider the continuing suitability of the operator to hold an operating licence
 - If it comes to our attention that: alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded.
- 3.29 The licensing authority will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation.

Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section

- 3.30 Our principal enforcement role under the Gambling Act is to ensure compliance with the conditions of the premises licence and legal requirements in respect of other permissions the licensing authority regulates. However, we will also ensure that any unlicensed premises which are operating illegally are dealt with appropriately to ensure compliance. Where appropriate, we will work with the Gambling Commission in our enforcement activity. The Council will adopt a risk-based inspection and enforcement

programme, which will mean giving greater attention to high-risk premises and a lighter touch for low-risk premises. In all cases we will ensure our inspection and enforcement programme is operated in accordance with any codes of practice issued by the Gambling Commission, in accordance with the Government's Enforcement Concordat and the Compliance Code.

- 3.31 The Council will take account of the Gambling Commission's guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.
- 3.32 This licensing authority will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

Proportionate	regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised
Accountable	regulators must be able to justify decisions, and be subject to public scrutiny
Consistent	rules and standards must be joined up and implemented fairly
Transparent	regulators should be open, and keep regulations simple and user friendly
Targeted	regulation should be focused on the problem, and minimise side effects

- 3.33 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

Operator	Primary Authority local authority
BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

3.34 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par>

Commenting on a licence application

3.35 If 'interested parties' (see below for definition) or 'responsible authorities' wish to comment on an application for a premises licence relating to the licensing objectives, they can make a 'representation'. The Licensing Authority can only consider representations if made by either an 'interested party' or 'responsible authority'.

3.36 A representation is a statement that outlines any comments that the party making the representation wants to be taken into consideration by the Licensing Authority when determining the application. In all cases representations will need to be 'relevant'. The only representations likely to be relevant are those that meet one or more of the following criteria:

- Relate to the licensing objectives
- Relate to relevant matters in our gambling policy
- Relate to relevant matters in the Gambling Commission's Guidance to Local Authorities
- Relate to relevant matters in the Gambling Commission's Codes of Practice
- Relate to the premises that are the subject of the application

AND

- Are neither frivolous nor vexatious nor will certainly not influence the authority's determination of the application.

Factors that will not be relevant

3.37 Any objections to new premises or requests for a review should be based on the licensing objectives of the Act. Unlike the Licensing Act 2003, the Act does not include the prevention of public nuisance as a specific licensing objective.

3.38 The licensing authority will not take into account representations that are:

- repetitive, vexatious or frivolous
- from a rival gambling business where the basis of the representation is unwanted competition
- moral objections to gambling
- concerned with expected demand for gambling

- anonymous

- 3.39 Details of applications and representations referred to a licensing sub- Committee for determination will be published in reports that are made publicly available and placed on the council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports
- 3.40 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is specifically asked to do so.

Split Premises

- 3.41 The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement. The Authority will not automatically grant a licence for sub- divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premise. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

Premises "ready for gambling"

- 3.42 A licence to use premises for gambling will only be issued in relation to premises:
- that the Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use
 - where they are expected to be used for the gambling activity named on the licence.
- 3.43 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 3.44 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two-stage consideration process: -

- 1) Whether the premises ought to be permitted to be used for gambling
 - 2) Whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 3.45 Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 3.46 When dealing with a premises licence application for finished buildings, the licensing authority will not take into account:
- whether those buildings have to comply with the necessary planning or building consents;
 - fire or health and safety risks.
- 3.47 Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence.
- 3.48 It is noted that S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building

Applications and plans

- 3.49 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Authority to plan future premises inspection activity.
- 3.50 It is the local authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the plan including, but not limited to:
- Machines, specified by category
 - Staff counters
- 3.51 We consider that this information is appropriate, in conjunction with the premises' risk assessment, to effectively assess the provision of gambling facilities at the premises.

Where this information is not provided, it is more likely that a representation will be made in order to enable the licensing authority to accurately assess the likely effect of granting the application relative to the LCCP and licensing objectives.

- 3.52 The premises plan in itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns and the layout of a particular premises may well determine what is most appropriate for an individual application.

Tracks

- 3.53 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises. In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 3.54 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.
- 3.55 Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

4. Determining Premises Licences

How the Licensing Authority decides whether to grant or refuse an application

- 4.1 Where we receive an application for a gambling premises licence, we will aim to permit the use of premises for gambling where it is considered:
- a) In accordance with any relevant code of practice issued by the Gambling Commission
 - b) In accordance with any relevant guidance issued by the Gambling Commission
 - c) Reasonably consistent with the licensing objectives (subject to a and b) and
 - d) In accordance with this policy (subject to a – c).
- 4.2 The Licensing Authority has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the committee cannot reject applications on moral grounds.
- 4.3 Each case will be decided on its merits.
- 4.4 The Licensing Authority will not have regard to any demand issues for the premises.
- 4.5 Where an area has known high levels of organised crime the licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors.
- 4.6 Rather than reject applications outright, wherever possible the Licensing Authority will look to work with gambling premises and tackle concerns with licence conditions that uphold the licensing objectives. However, where there are reasons that granting a licence would not be consistent with (a) - (d) above, the application will normally be refused.
- 4.7 In accordance with the Guidance from the Gambling Commission, we will circulate 'clear and comprehensive' reasons for any decision to all parties. We will also cite the extent to which decisions have been made in accordance with the Council's gambling policy and the Guidance from the Gambling Commission.

How the licensing committee decides what conditions to apply to premises licences

- 4.8 Premises Licences may be subject to any or all of the following:
- Conditions specified in the Gambling Act 2005

- Conditions specified in the regulations issued by the Secretary of State
- Conditions attached by Manchester City Council's Licensing Committee following a hearing (where necessary).

4.9 With respect to conditions, licensing authorities are able to:

- Issue licences without modifying conditions set out in the Act and by the Secretary of State
- Exclude default conditions
- Attach conditions where it is believed to be appropriate
- Conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.

4.10 We will ensure that any conditions we impose are:

- Proportionate to the circumstances which they are seeking to address
- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

4.11 There are also conditions, which the licensing authority cannot attach to premises licences:

- Conditions on a premises licence which make it impossible to comply with an operating licence condition
- Conditions relating to gaming machine categories, numbers, or method of operation
- Conditions that require membership of a club or body. (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- Conditions relating to stakes, fees, winnings or prizes
- Conditions relating to demand for the premises.

4.12 Decisions about conditions will be taken on a case-by-case basis considering Gambling Commission guidance, Gambling Commission Codes of Practice, the Licensing Objectives and our policy.

Determining whether to review a licence

- 4.13 After a licence is granted, where the day to day operation of a gambling premises is not felt to be 'reasonably consistent with the licensing objectives', a review of the premises licence can be requested at any time.
- 4.14 A review may be initiated by the Licensing Authority or as a result of an application for review from an interested party or responsible authority. Where it is the Licensing Authority that initiate the review, they may do this for a whole class of premises e.g. all Adult Gaming Centres or in relation to particular premises. The Licensing Authority can review a licence for any reason it thinks appropriate.
- 4.15 Where an application for review is received from an interested party or responsible authority, as a licensing authority we must decide whether to go ahead with the review. The application for review will be considered based on the following:
- Does the request raise issues other than those found under the Gambling Commission's Guidance, Codes of Practice, the Licensing Objectives or our gambling policy?
 - Is it irrelevant, frivolous or vexatious?
 - Is it so minor that the authority will certainly not wish to revoke or suspend the licence or remove, amend or attach conditions?
 - Is it substantially the same as a previous application for review relating to the same premises?
 - Is the application for review substantially the same as a representation made at the time the application for a premises licence was considered?
- 4.16 If the answer to ANY of the above questions is 'yes', the request for review may be rejected. The purpose of the review is to determine if the licensing committee should take any action in relation to the licence. If action is needed, the options are to either:
- Revoke the premises licence •
 - Suspend the premises licence for a period not exceeding three months
 - Exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such an exclusion
 - Add, remove or amend a licence condition previously imposed by the Licensing Authority

4.17 To decide what action, if any, needs to be taken following an application for review, the licensing committee will make its determination:

- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with relevant guidance issued by the Gambling Commission
- In so far as it is reasonably consistent with the licensing objectives
- In accordance with the authority's statement of licensing policy

4.18 The committee will also consider any relevant representations and information given at the hearing. Codes or practice and the guidance referred to above may be obtained from the Gambling Commission.

5. Relevant factors when considering applications and reviews

5.1 In considering applications for new gambling licences, variations to existing licences and licence reviews the licensing authority will consider the following matters:

- the location of the premises
- the Local Area Profile
- the Local Risk Assessment (LRA)
- the views of responsible authorities
- the views of interested parties
- compliance history of current management
- the hours of operation
- the type of premises
- the operation of the premises in accordance with the expectations of the licensing authority, as set out in this policy
- the physical suitability of the premises
- the levels of crime and disorder in the area
- the level of deprivation and ill health in the area

5.2 The Licensing Authority believes that this list is not exhaustive and there may be other factors which may arise that could be considered relevant. The Licensing Authority will consider the relevance of any additional factors raised on a case-by-case basis.

Location of the premises

5.3 The location of the premises will be an important factor as it can impact on all three of the licensing objectives. The Licensing Authority will consider very carefully applications for premises licences that are located in close proximity to sensitive premises such as:

- Schools, including universities
- Parks, stations, other transport hubs and places where large numbers of school children might be expected
- other premises licensed for gambling
- premises licensed for alcohol
- children's and vulnerable persons' centres and accommodation
- youth and community centres

- health and treatment centres
- leisure centres used for sporting and similar activities by young persons and/or vulnerable persons
- religious centres and public places of worship

5.4 The Licensing Authority expects each premises to produce and keep on the premises a local risk assessment, covering the areas set out in this policy.

Gambling-related harm

- 5.5 Between 61 and 73 percent of British adults gamble to some extent each year. For the majority of these people, gambling is a harmless and sociable activity. However, between 0.4 and 1.1 percent of British adults are estimated to be ‘problem gamblers’ who experience harm as a consequence of their gambling. A further 4 percent are estimated to be ‘at-risk gamblers’ who may go on to become problem gamblers.[1]
- 5.6 Problem gambling has been defined as “gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits”[2]. Males are 5 times more likely than females to be problem gamblers. Problem gambling also varies by age with young people aged 16-24 the most likely to be affected. Problem gambling disproportionately affects people on low incomes and those from ethnic minorities. Individuals of Asian/Asian British heritage and Black/Black British heritage are more likely to be problem gamblers than people who identify as White/White British[3].
- 5.7 For problem gamblers, harms can include higher levels of physical and mental illness, debt problems, relationship breakdown and criminality. Problem gambling is also associated with domestic violence and substance misuse. Harms from gambling affect far more people than just the problem gambler: it is estimated that for every harmful gambler, between 6 and 10 additional people are directly affected (such as friends, family or colleagues)[4]. Problem gambling also has a significant impact on public finances due to increased costs to the welfare, housing, health and criminal justice sectors. For these reasons, gambling-related harm is increasingly recognised as a public health issue.

[1] Institute for Public Policy and Research (2016). Cards on the table. The cost to government associated with people who are problem gamblers in Britain.

[2] Lesieur, H. R. & Rosenthal, M. D. (1991). Pathological gambling: A review of the literature (prepared for the American Psychiatric Association Task Force on DSM-IV Committee on disorders of impulse control not elsewhere classified). *Journal of Gambling Studies*, 7 (1), 5-40.

[3] See 1 above.

^[4] Local Government Association and Public Health England (2018). Tackling gambling related harm, A whole council approach.

Local risk assessments

- 5.8 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
- when applying for a variation of a premises licence
 - to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 5.9 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.
- 5.10 In conducting their risk assessment, the Licensing Authority will expect operators to follow the general principles of risk assessment:
- 1) Identify hazards (think about what may cause harm using the information provided below as a guide and any other matters you consider relevant)
 - 2) Assess the risks (decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk). Decide:
 - i) Who might be harmed and how
 - ii) What you're already doing to control the risks
 - iii) What further action you need to take to control the risks
 - iv) Who needs to carry out the action
 - v) When the action is needed by
 - 3) Control the risks (Look at what you're already doing, and the controls you already have in place.) Ask yourself:
 - i) Can I get rid of the hazard altogether?
 - ii) If not, how can I control the risks so that harm is unlikely?
 - 4) Record your findings (record your significant findings), including:
 - i) the hazards (things that may cause harm)
 - ii) who might be harmed and how

- iii) what you are doing to control the risks
- 5) Review the controls. (You must review the controls you have put in place to make sure they are working.) You should also review them if:
- i) they may no longer be effective
 - ii) Also consider a review if your workers have spotted any problems or there have been any accidents or near misses.
 - iii) to take account of significant changes in local circumstances, including those identified in this policy statement
 - iv) when there are significant changes at the premises that may affect your mitigation of local risks
 - v) Update your risk assessment record with any changes you make.

5.11 The Licensing Authority considers the following as significant changes at the premises that may affect your mitigation of local risks:

- Staffing changes
- Layout of the premises
- Changes to gaming facilities provided

5.12 The Authority will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools
- The commercial environment
- Factors affecting the footfall
- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship

5.13 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
 - dedicated and trained personnel
 - leaflets and posters
 - self-exclusion schemes
 - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate

5.14 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.

- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

5.15 Other matters that the assessment will include as appropriate: -

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

5.16 Such information may be used to inform the decision the Authority makes about whether to grant the licence, to grant the licence with special conditions, or to refuse the application.

5.17 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

Local Area Profile

5.18 The Greater Manchester Gambling Harms Reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, license holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations. This research and evidence will be available online at: <https://www.greatermanchester-ca.gov.uk/what-we-do/health/gambling/understanding-gambling-related-harms/> and should be referred to in Local Risk Assessments.

How the premises will operate consistent with the licensing objectives

- 5.19 We expect high standards from all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and have appropriate measures in place to uphold them.
- 5.20 The following paragraphs indicate the physical and management factors that the licensing authority may take into account when considering applications for new, varied licence applications and reviews. These are not mandatory requirements but should be used as a guide to applicants and licensees as to the sort of arrangements that it should have in place and demonstrate these are in place through their bespoke risk assessment. Where an applicant or licensee can demonstrate that these factors are not relevant, or alternative arrangements are more appropriate, the licensing authority will take these into account.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

- 5.21 The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licence procedure.
- 5.22 However, as a Licensing Authority, we will take into account any local considerations that may impact with regard to this licensing objective, particularly in respect to the location of the premises, to ensure the suitability of the gambling premises. When considering whether a disturbance was serious enough to constitute disorder, we will have regard to the individual merits of the situation including, but not limited to, whether police assistance was required and how threatening the behaviour was to those who could see or hear it. We acknowledge that the Gambling Commission highlights in its guidance to local authorities that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.
- 5.23 Whilst regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences; if there are persistent or serious disorder problems that we consider an operator could or should do more to prevent, we will bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence

- 5.24 Licensees and applicants will be expected to demonstrate that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- 5.25 In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police's architectural liaison unit at the design stage to ensure crime prevention and detection.
- 5.26 We encourage that premises liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.
- 5.27 The measures to be considered should include:
- The arrangements in place to control access (preventing unauthorised access shall not be limited to the provision of supervisory personnel; other options may include, but are not limited to, time-lock or maglock entrances)
 - The opening hours
 - The provision of registered door supervisors*
 - The provision of CCTV
 - The number of staff on duty and effective staff training, especially in relation to lone working
 - The provision of toilet facilities
 - Prevention of antisocial behaviour associated with the premises, such as street drinking, litter, activity outside the premises including the management of clients leaving the premises
 - Adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.

* Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

Ensuring that gambling is conducted in a fair and open way

5.28 Generally, this objective will be addressed by:

- The management of the gambling business (in conjunction with the Gambling Commission, who are responsible for issuing and enforcement of the operating licence).
- The personal licence holders proving their suitability and actions (which again is the responsibility of the Gambling Commission)

5.29 Where we suspect that gambling is not being conducted in a fair and open way, we will bring this to the attention of the Gambling Commission, for their further consideration, and work in partnership with their officers. In the case of those premises that do not hold an operating licence such as tracks, additional conditions may be required dependent on the risks outlined in the application.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

5.30 The Gambling Act defines 'children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age. The term 'vulnerable persons' is not defined and what constitutes harm or exploitation will have to be considered on a case-by-case basis.

5.31 Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling may be short-lived but can persist, having longer-term and enduring consequences that can exacerbate existing inequalities.

5.32 Regard will be had to current evidence in relation to vulnerability to gambling-related harm. In 2015, Manchester City Council in partnership with Westminster Council commissioned research into this issue and published a report: Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review by Heather Wardle, Gambling and Place Research Hub, Geofutures 13th July 2015. Similarly, In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling (Problem Gambling in Leeds;

Kenyon, Ormerod, Parsons and Wardle, 2016) looking specifically at identifying groups of the society that could be considered (more) vulnerable to problem gambling:

- Younger people, including students
- Those who are unemployed and/or with constrained financial circumstances
- Those from minority ethnic groups
- Those under the influence of alcohol or drugs
- Problem gamblers seeking treatment
- Homeless people
- Those living in areas of greater deprivation
- Those with other mental health issues and substance abuse/misuse disorders
- Those with poorer intellectual functioning
- Custodial and non-custodial offenders

5.33 Licensees and applicants will be expected to demonstrate they have carefully considered how to protect children and vulnerable persons from harm and have adequate arrangements for preventing underage gambling on their premises. The measures that should be considered where appropriate are:

- The provision of CCTV
- Location of entrances
- Restricted opening and closing times to protect residents vulnerable to harm
- Supervision of entrances
- Controlled access to the premises by children under the age of 18
- Dealing with pupils who are truanting, and policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays
- Design layout/lighting/fit out to not attract children or vulnerable persons having a nationally-recognised proof of age scheme – Think 21/25
- The provision of registered door supervisors
- Clear segregation between gaming and non-gaming areas in premises frequented by children
- The provision of adequate signage and notices
- Supervision of machine areas in premises, particularly areas to which children are admitted

- Controlled opening hours
- Effective self-barring schemes
- The provision of materials for GamCare, Betknowmore UK or similar, Citizens Advice Bureau information, local public and mental health and housing/homeless associations, printed in languages appropriate to the customer base.
- Advertising local support services in the area such as Beacon Counselling Trust or the NHS Gambling Clinic.
- The number of staff on duty and effective staff training, especially in relation to the ability to effectively identify and engage with vulnerable persons, including primary intervention and escalation
- A requirement that children must be accompanied by an adult (in premises where children are allowed)
- Enhanced DBS checks of staff
- Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises
- Self-exclusion schemes

5.34 With reference to those persons with a mental impairment or mental health difficulties, operators would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling

5.35 For multi-occupied premises consideration should be given to the arrangements for controlling access to children and the compatibility of the different uses. Separate and identifiable entrances may be required to ensure that people do not drift inadvertently into a gambling area.

5.36 Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises the licensing authority will require:

- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
- adults only admitted to the area where these machines are located
- adequate supervised access to the area where the machines are located

- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
- prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

Expectations of operators: Staffing provision

- 5.37 Staff in licensed gambling premises are recognised as being subject to risk in the workplace from violence and verbal abuse, especially if working alone. In addition, lone workers may not be able to sufficiently serve and supervise the customers, identify and prevent young people from gambling, protect vulnerable persons, deal with customers who may be consuming alcohol and prevent the premises being used as a source of crime or supporting crime.
- 5.38 We expect premises management to recognise and address this as part of their management arrangements, especially at times where it has been identified that there is a spike in crimes around the premises.
- 5.39 We expect there to be an adequate number of staff and managers on the premises to cover key points throughout the day, especially where premises are close to schools/colleges/universities, pubs, bars, shopping centres and stadia.

Expectations of operators: Data gathering and sharing

- 5.40 Keeping track of the incidence and handling of problem gambling in Manchester is a key part of promoting the licensing objectives. We expect all gambling premises to maintain a log and share this and other information with the Licensing Unit upon request.
- 5.41 Data that we consider should be recorded and shared includes (but is not exclusive to) We would expect that all records including time and date along with a short description of the incident and action taken:
- 1) Customer interventions
 - 2) Cases where persons who have decided to voluntarily exclude themselves from the premises have tried to gain entry
 - 3) Mandatory exclusions needing enforcement
 - 4) Attempts to enter by those underage in a calendar month
 - 5) Attempts to enter by those underage in the company of adults
 - 6) Attempts to enter by those underage with complicit adults

- 7) Incidents of 'at risk behaviour'
- 8) Incidents of 'behaviour requiring immediate intervention'

5.42 We expect that this application will be provided to the licensing authority annually.

5.43 A template for this information to be provided is at Appendix 2.

Expectation of applicants: Staff Training and Knowledge

5.44 We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling. Amongst other elements, staff knowledge should include (where appropriate):

- 1) The importance of social responsibility (Premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility)
- 2) Causes and consequences of problem gambling
- 3) Identifying and communicating with vulnerable persons: primary intervention and escalation, supported by high quality training given the challenging nature of these conversations.
- 4) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment including local treatment providers
- 5) Refusal of entry (alcohol and drugs)
- 6) Age verification procedures and need to return stakes/withdraw winnings if under age persons found gambling
- 7) Importance and enforcement of time/spend limits
- 8) The conditions of the licence
- 9) Maintaining an incident log
- 10) Offences under the Gambling Act
- 11) Categories of gaming machines and the stakes and odds associated with each machine
- 12) Types of gaming and the stakes and odds associated with each
- 13) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
- 14) Safe cash-handling/payment of winnings
- 15) Identify forged ID and bar those using forged ID from the premises

16) Knowledge of a problem gambling helpline number (for their own use as well as that of customers)

17) The importance of not encouraging customers to:

- (a) Increase the amount of money they have decided to gamble
- (b) Enter into continuous gambling for a prolonged period
- (c) Continue gambling when they have expressed a wish to stop
- (d) Re-gamble winnings
- (e) Chase losses.

5.45 Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling. In so far as training, we do not intend to duplicate any existing training requirement, such as may be required by the Gambling Commission's Code of Practice.

Expectation of applicants: Gaming machines / layouts

- 5.46 It is an operator's responsibility to ensure staff are able to effectively monitor gaming machine play for a number of reasons that are part of the operator's licence conditions. Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their gambling premises.
- 5.47 The Licence conditions and code of practice (LCCP) state: 'Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times'.
- 5.48 A screen or pod around a gaming machine, designed to increase the privacy of the player, could prevent staff in a gambling premises from effectively monitoring gaming machine play
- 5.49 Operators will be expected to be able to evidence to the licensing authority how they have considered the risk to the licensing objectives and implemented effective controls, prior to the introduction of any new machine arrangements.
- 5.50 It will be important to consider the means by which gaming machines are supervised (e.g. line of sight to counter, effective CCTV, mirrors or floor staff) and consider whether that is appropriate for that premises.

5.51 Whether amendments to a premises amount to a 'material change' warranting an application to vary the premises licence under s.187 of the Gambling Act is a matter for local determination and the licensing authority will adopt a common-sense approach.

6. Premises-specific considerations

Adult Gaming Centres

- 6.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.
- 6.2 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 6.3 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

Casinos

- 6.4 Manchester only has casinos that were previously licensed under the Gaming Act 1968 and have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences. There are no small or large casinos.
- 6.5 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines.

'No Casinos' resolution

- 6.6 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy

statement with details of that resolution. Any such decision will be made by the Full Council.

Bingo premises

- 6.7 The Gambling Act 2005 does not contain a definition of Bingo. It is to have its ordinary and natural meaning and the Act does stipulate that “bingo” means any version of that game, irrespective of how it is described. Two types of bingo may be offered:
- Cash bingo, where the stakes panel made up the cash prize that’s won; or
 - Prize bingo, where various forms of prizes is won, not directly relating to the stakes panel
- 6.8 Subject to the rules of individual operators, children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 6.9 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one metre high
 - only adults are admitted to the area where the machines are located
 - access to the area where the machines are located is supervised at all times
 - the area where the machines are located is arranged so that it can be observed by staff
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
 - children will not be admitted to bingo premises unless accompanied by an adult.
- 6.10 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator’s Licences. The council will take this into consideration when determining licence applications for bingo premises.

- 6.11 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

Electronic bingo gaming machines

- 6.12 Where a premises intends on providing electronic terminals to play bingo, we will expect operators (as part of their application) to provide a breakdown of the number of electronic bingo terminals that will be provided at the premises

Gaming machines at bingo premises

- 6.13 In addition to bingo, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act. Bingo premises licences authorise a maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4.
- 6.14 Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.
- 6.15 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question.
- 6.16 As the licensing authority, we will need to satisfy ourselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo. Equally, we must ensure that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.
- 6.17 Therefore, we will expect operators (as part of their application) to provide information on:
- any times they intend to provide gaming machines at any times that bingo facilities are not provided
 - how the premises will be recognised as a premises licensed for providing facilities for bingo

- A breakdown of gaming machine numbers (by category)
- 6.18 The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.19 The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
 - the number of counter positions and staff on the premises
 - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.20 The licensing authority will not seek to limit the number of gambling machines by category as this entitled provision is defined in the Gambling Act. However, we will seek to ensure that the number and provision of gaming machines are only provided in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.
- 6.21 To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.
- 6.22 The licensing authority will information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and the Gambling Commission's guidance to licensing authorities.

'Entertainment' Bingo

- 6.23 A phenomenon over recent years has been the evolution of businesses, such as Bongo's Bingo, providing facilities for high turnover bingo (the aggregate stakes or prizes for bingo in any seven day period may exceed £2,000); typically providing equal chance gaming at pubs and nightclubs, in reliance on the alcohol licence held by the premises, and therefore doing so under the rules for exempt gaming.
- 6.24 We note that it is a condition of some such companies' operator's licence that they must notify both the Commission and the relevant LA at least 28 days before any event takes

place in new premises, by providing a description of the event taking place, a copy of the premises contract and any amendment to the rules of the bingo.

- 6.25 We would encourage venues hosting such events to promote responsible gambling messaging at them.

Betting Premises

- 6.26 We encourage operators to participate in the Safebet Alliance in order to help ensure the highest standards for the safety and security of staff working at betting premises. Where an operator does not participate in the scheme, it is expected that they can satisfactorily demonstrate the security measures they incorporate are adequate.
- 6.27 Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the licensing authority has granted a variation application to extend these hours. The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.
- 6.28 As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.29 The licensing authority will use their power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
 - the number of counter positions and staff on the premises
 - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.30 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet)

or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

(Licensed) Family Entertainment Centres

- 6.31 The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.
- 6.32 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Operators should ensure that a proof of age scheme is in force.
- 6.33 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

Occasional use notices

- 6.34 Occasional Use Notices (OUN) are designed to allow licensed betting operators to provide betting facilities at genuine sporting events, such as point-to point racecourses and golf courses for major competitions, within the boundaries of the identified venue on a specific date.
- 6.35 An OUN must be submitted for EACH day that the betting activity will be conducted on the premises. For example, four notices for four consecutive days of betting and not one notice covering the four days.
- 6.36 We will liaise with the Gambling Commission should we receive an OUN that does not relate to a genuine recognised sporting event to ensure that OUN's are not misused, for example, venues seeking to become tracks through a contrived sporting event, utilising OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue.

7. Permits and other permissions

Alcohol Licensed Premises Gaming Machine Permits

- 7.1 Premises licensed to sell alcohol that have a bar and the alcohol is not ancillary to food for consumption on the premises, having more than two gaming machines, will need to apply for a permit and must also notify the Licensing Authority if they have one or two machines. In considering whether to grant a permit, the licensing authority will have regard to the licensing objectives, guidance issued by the Gambling Commission and any other relevant matters. Permits will not be granted to licensees who have failed to demonstrate compliance with the Gambling Commission's Code of Practice.
- 7.2 In addition to the requirements of the Gambling Commission's Code of Practice, the Licensing Authority expects applicants to:
- display adequate notices and signs, advertising the relevant age restrictions
 - position machines within view of the bar in order for staff to be able to monitor the machines for use by under age or misuse of the machines
 - challenge anyone suspected of being under age and refuse access
 - provide information leaflets and / or help-line numbers for organisations such as GamCare and Betknowmore UK.

Prize Gaming Machine Permits

- 7.3 Prize gaming premises will appeal to children and young persons and weight will be given to child protection issues. Therefore, the licensing authority will expect the applicant to demonstrate that they are suitable to hold a permit (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises.
- 7.4 The licensing authority expects applicants to set out the types of gaming machines that they intend to offer and be able to demonstrate that:
- they understand the limits to stakes and prizes that are set out in regulations
 - that the gaming offered is within the law
- 7.5 The Gambling Commission website gives advice on types of permits, conditions, stakes and prizes. See <https://www.gamblingcommission.gov.uk>

Unlicensed FECs (uFEC)

- 7.6 Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.
- 7.7 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.
- 7.8 Given that the premises is likely to appeal particularly to children and young persons, when considering applications for permits we will give weight to matters relating to protection of children from being harmed or exploited by gambling and are keen to ensure that staff supervision adequately reflects the level of risk to this group. Therefore, we will generally expect such risks to be addressed through effective:
- Staff supervision and training
 - Detailed plan
 - Social responsibility policies
 - Staff being easily identifiable
 - Clear signage
- 7.9 As part of an application for a uFEC, it is our policy that a plan for the uFEC must be submitted.

Small Society Lotteries

- 7.10 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 7.11 To be 'non-commercial' a society must be established and conducted:
- for charitable purposes,
 - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or

- for any other non-commercial purpose other than that of private gain.

7.12 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries
- The eligibility of society as 'non-commercial'

8. Appendix 1 –Responsible Authorities

Licensing Authority

The Principal Licensing Officer, Premises Licensing
 Manchester City Council, PO Box 532, Town Hall Extension, Manchester M60 2LA
Premises.licensing@manchester.gov.uk

Environmental Health

Licensing and Out of Hours Team (Gambling Licences) Level 1, Town Hall Extension,
 Lloyd Street Manchester M2 5DB
Outofhours.compliance@manchester.gov.uk

Greater Manchester Police

Greater Manchester Police Licensing Partnership Team Level 1, Town Hall Extension,
 Lloyd Street Manchester M2 5DB
centrallicensing@gmp.police.uk

The fire and rescue authority

North Manchester Fire and Rescue Service (if the premises have a postcode within the ranges M1-M4, M8-M9, M11-M13, M18, M25)

The Fire Safety Manager, Greater Manchester Fire & Rescue Service
 Manchester Central Fire Station, Thompson Street, Manchester M4 5FP
northmanlic@manchesterfire.gov.uk

South Manchester Fire and Rescue Service (if the premises have a postcode within the ranges M14-M16, M19-M23, M40, M90)

The Fire Safety Manager, Greater Manchester Fire & Rescue Service
 Withington Central Fire Station, Wilmslow Road, Withington, Manchester M20 4AW
southmanlic@manchesterfire.gov.uk

Safeguarding Board

Manchester Safeguarding Children Board, Manchester City Council, Level 4, Town Hall Extension, P.O. Box 532, Manchester, M60 2LA

mscb@manchester.gov.uk

HM Revenue & Customs

National Registration Unit, Portcullis House, 21 India Street, Glasgow G2 4PZ

nrubetting&gaming@hmrc.gsi.gov.uk

Planning

Manchester Local Planning Authority (Premises Licences), PO Box 436, Town Hall Extension, Manchester M60 3NY

planning@manchester.gov.uk

Gambling Commission

Victoria Square House

Victoria Square, Birmingham, B2 4BP

info@gamblingcommission.gov.uk

Applications must be submitted to:

Premises Licensing, Manchester City Council, PO Box 532, Town Hall Extension, Manchester M60 2LA

10. Appendix 3 - Glossary

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are: <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or 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 people from being harmed or exploited by gambling.
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.

Term	Description
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: (i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place

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