



## **Licensing Committee**

Date: Monday, 13 November 2023

Time: 10.00 am

Venue: Council Antechamber, 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**

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**Councillors** - Grimshaw (Chair), Connolly (Deputy Chair), Andrews, Evans, Flanagan, Hewitson, Hilal, Hughes, T Judge, Ludford, Reid and Riasat

## Supplementary Agenda

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5. **Statement of Licensing Policy 2023 - 2028** 3 - 158  
The report of the Director of Planning, Building Control and Licensing is now enclosed.

## Further Information

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

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This supplementary agenda was issued on **Thursday, 9 November 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

## Manchester City Council Report for Resolution

**Report to:** Licensing Committee – 13 November 2023

**Subject:** Statement of Licensing Policy 2023-2028

**Report of:** Director of Planning, Building Control and Licensing

### Summary

The Report presents proposed revisions of the Statement of Licensing Policy under the Licensing Act 2003. This follows consideration of the matter at the meeting on 23 October 2023 and the Licensing Policy Committee on 31 October 2023.

### Recommendations

- i. To review the options presented in the report and to make any recommendations to the Policy Committee on final preferred policy approach.

### Wards Affected: All

**Environmental Impact Assessment** - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city

This policy seeks to support related strategies to help businesses recognise the need for sustainability and carbon reduction within in their operations; the policy raises awareness and encourages responsible and socially conscious practices.

Manchester Strategy Outcomes	Summary of the contribution to the strategy
<p>A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities</p>	<p>Licensable activity provides a key role in supporting the city's economy. A successful licensing regime integrates fully with place making strategies to ensure sustainable growth, safe and well-run businesses, good employment opportunities and a diverse and vibrant social offer that in turn attracts further investment and visitors to the city.</p> <p>The Licensing Policy plays an essential role in establishing the relevant considerations and standards by which licensable activity will be permitted and operated in the City. The policy aims to support effective decision making to ensure that only premises that are well-run and appropriate to the nature of the surrounding neighbourhood are</p>

	licensed; thereby positively contributing 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	The Policy outlines the expectations of licensed businesses and encourages these to operate safely and successfully, for both patrons and employees; thereby supporting the city's Work and Skills Strategy.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Policy provides a framework by which operators and decision makers should consider the contribution each licensed business can make to the local community whilst promoting the licensing objectives. The Policy also outlines the expectation that licensed businesses will have due regard for equality and inclusivity in its policies, procedures and staff training.
A liveable and low carbon city: a destination of choice to live, visit and work.	The Policy is cognisant of the varying needs and profiles of the city's neighbourhoods and provides a framework by which operators and decision makers should consider the contribution each licensed business can make to the local community whilst promoting the licensing objectives to prevent crime, disorder and public nuisance and ensure public safety and the protection of children from harm. The Policy encourages operators to be socially conscious and operate sustainably.
A connected city: world class infrastructure and connectivity to drive growth	Licensable activity plays an important role in ensuring an economically successful City. 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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Background documents**

The following documents include or disclose important facts on which this report relies or refers to. Copies of the background documents are available up to 4 years after the date of the meeting. Copies can be obtained via contact with one of the officers above.

Minutes from Licensing Policy Committee meeting, 31 October 2023  
Manchester City Council Licensing Policy 2021-2025  
Licensing Act 2003  
Guidance issued under section 182 of the Licensing Act 2003

## 1. Introduction

- 1.1 As Members are aware the Licensing Act 2003 (which came into effect on 24 November 2005) covers the following licensable activities:
- Sale or supply of alcohol
  - Provision of regulated entertainment
  - Provision of late night refreshment
- 1.2 The Act requires each Licensing Authority to publish a statement of licensing policy to show how it intends to achieve the four licensing objectives. As members are aware, these are:
- Prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm.
- 1.3 Members will also be aware that our licensing policy is a statutory consideration in determination of all licensing applications where relevant representations are received.
- 1.4 On 10 March 2023, the Licensing Policy Committee received a report presenting the draft revised Statement of Licensing Policy and requested officers to consult upon it.
- 1.5 Officers consulted with statutory consultees and arranged for an 8-week public consultation which took place from 31 May to 26 July.
- 1.6 On 23 October 2023, the Licensing Committee received a report presenting the findings of the public consultation and the changes proposed as a result. On 31 October 2023, the Licensing Policy Committee considered the recommendation of the Licensing Committee and has referred the matter back to this Committee.
- 1.7 The draft policy is updated to include the proposed area plans and copies of these are provided at Appendix 1.
- 1.8 Subject to any further required amendments and subsequent approval of the Licensing Policy Committee at the scheduled meeting on 20 November 2023, it is intended to present the policy to the Council on 29 November 2023 to approve the publication of this policy.
- 1.9 Members will be aware that the policy is published for a five-year period although the licensing authority must keep its policy under review and may make revisions to it, at such times, as it considers appropriate.

## 2. Concerns of the Licensing Committee

- 2.1 At the Licensing Committee on 23 October 2023, Members raised some concerns related to specific area policies. The Committee then made the following recommendation to the Licensing Policy Committee:  
***“Remove the current area-based policies in place for Fallowfield and Withington and apply these to all areas of the city, outside of the City Centre.”***

- 2.2 This report seeks to address the concerns highlighted by the Licensing Committee and outline the options for moving forward.
- 2.3 Response to specific points raised:
- 2.4 A concern was raised that the final draft Policy was too diluted in its ability to restrict licensable activity in key areas in the same way they could with a previous CIP, Members didn't feel it was clear as to the difference between assessing any application on its individual merit and the new approach.
- 2.5 **Response:** All applications should be assessed on their individual merit, but the new policy approach seeks to provide clear guidelines (to applicants, Responsible Authorities and decision makers) for what types of operation/activity is desired/encouraged and where there might be a presumption against a particular type of operation/activity. It has been widely recognised that blanket CIPs have not provided authorities with enough flexibility when assessing applications, and in some circumstances have had a negative impact on the local economy.
- 2.6 A concern was raised that the Policy was weak on the issue of venues managing their ingress and egress effectively, queueing arrangements and the extent to which some venues encroach on the highway and the impact this has on accessibility, particularly in the city centre. In addition, it was raised that the policy did not indicate what should happen when changes to the external environment impacted on a venues operation.
- 2.7 **Response:** Section 5 of the Policy sets out how when assessing applications, the operator must demonstrate they will manage these issues outside of the venue, and the Council and other RAs need to ensure they are satisfied with those arrangements and venue policies before granting the licence. There is also a significant role for compliance teams to ensure that where concerns do arise, these are addressed with the venue and solutions sought. The operator's responsibility to have due regard for the Equality Act has been made clearer in the draft Policy through revisions to Section 4 in relation to accessibility and inclusivity. Section 1 already makes the point that the policy applies to existing licensed premises.
- 2.8 A concern was raised that it wasn't clear as to what 'increasing the scope of applications subject to limitations' meant. That it wasn't clear why one area might have some limitations, when another area a short distance away may not have the same limitations recommended in the policy.
- 2.9 **Response:** Different areas, even within fairly proximity can have hugely different demographics and local considerations. Whilst one area may have a busy and vibrant licensed economy, it may not be advised to limit applications in the same way because there is no or little evidence of negative impact within the neighbourhood. The nature of the operation, demographics of patron, and price point of services on offer are key factors in whether the

licensed activity also leads to crime and anti-social behaviour issues. Historical sensitivities will also be a relevant factor; where an area required a CIP (because the evidence supported that approach previously and there was a documented significant and negative local impact) it stands to reason that the authority should more carefully consider and manage what types of activity it wants to licence going forward.

- 2.10 A concern was raised that with the removal of the CIPs, why did only certain areas of the city require additional focus – what made them more ‘special’ than other areas of the city and was the approach legal, given that we are saying we do not need CIPs in these areas anymore.
- 2.11 **Response:** the Policy approach is different to the CIP as it is not as restrictive; there is no longer a presumption against. The approach seeks to find the best way forward in areas where additional risk has been identified by local Members, officers and residents which is supported by local intelligence and crime data analysis. In Fallowfield for example, the evidence does support what we already know about the problems encountered in the area linked to the type of venue, hours of operation and target market. There is also a likelihood of significant expansion of the licensed economy due to potential market in the neighbourhood and this should be managed carefully in line with the place plans for the area. It is on this basis that the immediate neighbourhood to the district centre is more at risk of negative impacts of certain types of licensable activity than other areas in the city.

Without bespoke guidance for areas where specific concerns and risks are well established and documented through crime data analysis, the Council may find it more challenging to effectively manage and control the way the licensed economy develops in those areas. The clear intention is to support all parties, including Members, to make informed decisions cognisant of specific local issues.

Whilst the policy cannot predict where negative impacts may or may not develop and occur in other areas of the City, the general policy should suffice in those areas. Officers and counsel believe the Policy is sufficiently detailed to enable robust decisions to be made should the policy be invoked by relevant representations being made. The only purpose of additional guidance in some areas, is to provide all parties with relevant information about what will and will not be tolerated or welcomed in those areas, and to safeguard against unmanaged expansion and unintended consequences.

Members should further note that the Licensing Authority is under a duty to keep its policy under review and make such revisions to it as it considers appropriate during the term of the policy so future specific guidance and considerations can be added to the policy for any area or neighbourhood as warrant.



The draft policy has been reviewed by external counsel, who did not raise any concerns and conversely commended the approach set out in the policy.

2.12 A concern was raised that it was not clear as to what ‘more of a mix’ meant in practical terms when applying the policy and that Members would need something more to help justify a decision.

2.13 **Response:** Section 3 of the Policy (‘Our vision for the city’), states:

*We aim to promote growth and ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options.*

*We aim to strategically encourage positive cluster development in line with the following range of characteristics, which we consider define a night-life cluster contributing to night-time cultural vibrancy without unduly impacting the surrounding areas:*

- *A mix of different venue types and sizes*
- *One or more destination venues*
- *A mix of licensed and unlicensed venues*
- *Managed impacts on surrounding residents in terms of sound and antisocial behaviour*
- *A point of difference and a sense of place*
- *Transport connectivity*
- *Walkability within the cluster and between neighbouring clusters*
- *Good opportunities for people watching*
- *Resilience to change in venue mix.*

*Supporting the growth of diverse options will provide greater accessibility to the city at night and increase the overall level of participation.*

*The authority considers that licensed premises being located next to one another in a ‘cluster’ have the propensity to lead to greater risks of behavioural issues (including antisocial behaviour), an oversupply and overconsumption of alcohol, property damage, violence, traffic issues and other noise disturbances due to (but not limited to) the potential flow-on effects of patrons moving from one licensed premises to another.*

*A cluster of homogenous venues can facilitate a dominant culture that is limited and exclusive. In contrast, a diverse mix of venue styles and types will attract a diverse range of participants, in turn contributing to better perceptions of safety.*

*A diversity of venues is understood to be a key contributor to a sense of vibrancy. It is also important for the development of cultural spaces and broader social diversity, which are important preconditions for an inclusive society accepting gender, ethnic and subcultural differences.*

In needing to move away from blanket CIPs, Members have the ability and authority to judge and consider whether an application is suitable in the area it is being applied for. Officers can provide additional support and training on how to apply the policy. Members need to consider if the Applicant has

provided enough information to enable them to understand the nature of the activity to be licensed and could refuse an application on that basis alone. In considering the Application, Section 4 of the policy clearly outlines the various considerations for the Sub-Committee:

- **What** is being proposed and how it impacts on what exists in the area **where** it is proposed – Members will in turn refer to Section 6 of the policy for guidance on the specific area issues, and rely on responsible authorities and interested parties to raise any specific concerns about the type of operation/activity being proposed
- **When** is it proposed to operate
- **How** it is proposing to operate – again do Members have enough information from the applicant to enable them to sufficiently understand the nature of the activity on offer, and how the venue fits in with what is already on offer in the location?

It is envisaged that by taking all of the above into account, Members would be sufficiently informed to determine whether the application would not undermine the licensing objectives.

- 2.14 A concern was raised that Members do not have enough information about local impact and the location of neighbouring residential properties to support them in their decision making.
- 2.15 **Reponse:** An amendment to the policy is not required to address this concern as this is more about process. Licensing Officers have taken this away and will address this to ensure Members are provided with more information at hearings to support determination of applications.

### 3. **Considerations of the Licensing Policy Committee**

- 3.1 At Licensing Policy Committee on 31 October 2023, the recommendation of the Licensing Committee was discussed. A draft document was circulated to Members as a proposal to address the concerns raised by the Licensing Committee. The document explained how the Policy could be applied to areas in the city centre and areas outside the city centre.
- 3.2 It was also clarified that the changes requested by the Licensing Committee constituted substantial changes to the Policy that had already been out to public consultation, and therefore a further public consultation would need to be repeated.
- 3.3 After much discussion, the Policy Committee in turn recommended that:  
***A meeting of the Licensing Committee should be convened at the earliest opportunity, followed by a meeting of the Licensing Policy Committee to reconsider the Statement of Licensing Policy 2023 – 2028 and to provide officers with the opportunity to clarify with location maps of the areas incorporated in the proposed Fallowfield and Withington area-based special policies.***

### 4. **Options for moving forward**

- 4.1 The Committee needs to consider whether outside of the City Centre, there are locations that necessitate a more restrictive approach (due to documented issues) and where additional guidance on the approach that should be taken would assist when determining applications. The alternative is that Members have a blanket approach outside the city centre, which by nature will have to be more generic to fit all areas.
- 4.2 Members have expressed a desire for clearer guidance to support sound and confident decision making, as well as detail that enables Members to ‘hang their hat’ on their decisions. Officers consider that the Policy, with bespoke guidance for areas with identified additional issues, will provide the support needed to enable Members in their decision making, alongside improvements to the way information is provided by responsible authorities, as well as training.
- 4.3 In taking into consideration comments made by the Licensing Policy Committee, the Policy has been updated with maps showing the defined areas within Fallowfield and Withington that policies would have effect for. These area boundaries are consistent with the pre-existing special policies in the former Statement of Licensing Policy. They represent areas with concentrations of licensed premises.
- 4.4 Officers consider there are 2 options for the Committee:
- I. Retain Section 6 as originally proposed with the addition of the area boundary maps for Fallowfield and Withington special policies.
  - II. Revise Section 6 to remove any ‘Special Policy’; currently included for Village, Peter Street and Great Northern Area, Deansgate Locks, Fallowfield, Withington, and to put the revised policy back out to public consultation.
- 4.5 Option I seeks to address the recommendation of the Policy Committee but retains localised policies on the basis that the additional guidance and direction these provide will assist Members in their decision making, and they are considered to be helpful safeguards and controls.
- 4.6 Option II would still enable local-area considerations having regard to the area’s stated objectives but provide less direction for applicants, decision-makers, and other considering the application. This option would require further public consultation before the licensing policy could be published – depending on how quickly we can work with the communications team and their resource capacity to get a second consultation out, a report may be able to come back to this Committee on 22 January 2024. Given that it then has to go to Licensing Policy Committee before going to full Council, it is therefore unlikely that the Policy would be able to meet the deadline for the Council meeting on 31 January 2024 and it would be more likely to go to the meeting on 1 March 2024.
- 4.7 In identifying the options above, officers consider that the clarity provided by the maps defining those areas to be subject to the localised policies may

assist Members in coming to a further recommendation. It is also acknowledged that retaining a localised policy and stricter approaches in respect of some uses is responding to residents who are continuing to raise concerns in these areas. It is envisaged that Section 6 will be revised during the lifetime of the policy as it is likely the nature and character of these areas evolve.

- 4.8 Working with the responsible authorities, we are developing our evidence bases and it is likely that other areas may be identified for similar approaches as the licensing landscapes evolve. However, these localised policies provide the ability to promote an equitable approach to licensing premises based on the data we have available and the responses to the consultation.

## **5 Officer recommendation**

- 5.1 Officers understand the concerns raised by the Licensing Committee on 23 October 2023. It is considered that these concerns can largely be addressed via improvements to process.
- 5.2 Outside the city centre, established night-life clusters exist in several of Manchester's larger district centres such as Rusholme, Didsbury Village, and Chorlton; several areas support minor night-life clusters, which also play a key role in the wider city dynamics of the city at night, such as Fallowfield, Withington, and Burton Road in West Didsbury.
- 5.2 New areas continue to emerge within the city centre, in neighbouring wards such as Ardwick and Hulme and other district centres as places regenerate and grow. This policy aims to take a proactive approach to the development of the licensed economy within the place making of such areas, and therefore identifies specific approaches in areas that warrant it. Officers will continue to monitor the development of emerging cluster areas and respond accordingly with proposed amendments to the policy as required.
- 5.3 The Government's recommendations at paragraph 14.51 of the statutory guidance states that the Government acknowledges different licensing approaches may be appropriate for promoting the licensing objectives in different areas within the authority's area, and so licensing authorities – in consultation with others – are best placed to make those decisions subject to the overriding principle that opening hours must not be pre-determined without giving individual consideration to the merits of each application. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.
- 5.4 Given the above statutory guidance, and with the removal of CIPs, officers presented a Policy that sought to provide all relevant parties, including Members in their determination of applications, with sufficient direction to understand when and where a more restrictive approach could be taken.
- 5.5 It is hoped that this report has provided Members with the clarification they requested around why some areas *currently* have additional direction within

the policy. It is hoped that Members will find this useful should the Policy come into effect. It is recognised that work outside of the Policy is also required to better support Members in their decision making, including additional information provided with application reports relating to the residential makeup of the area, and training/workshops on the new policy and its implementation.

- 5.6 It is recommended that the Policy at Appendix 2 be put forward to Licensing Policy Committee. This is the version that was presented to this Committee on 23 October with the addition of the area boundary maps for Fallowfield and Withington. This amendment would not have to go back to public consultation, and if also accepted by Licensing Policy Committee, could then be put forward to full Council on 29 November 2023.

## **6. Key Policies and Considerations**

### **a) Equal Opportunities**

No further considerations for this report.

### **b) Risk Management**

No further considerations for this report.

### **c) Legal Considerations**

There are no legal considerations other than those already highlighted within the report.

## **7. Conclusion and Recommendations**

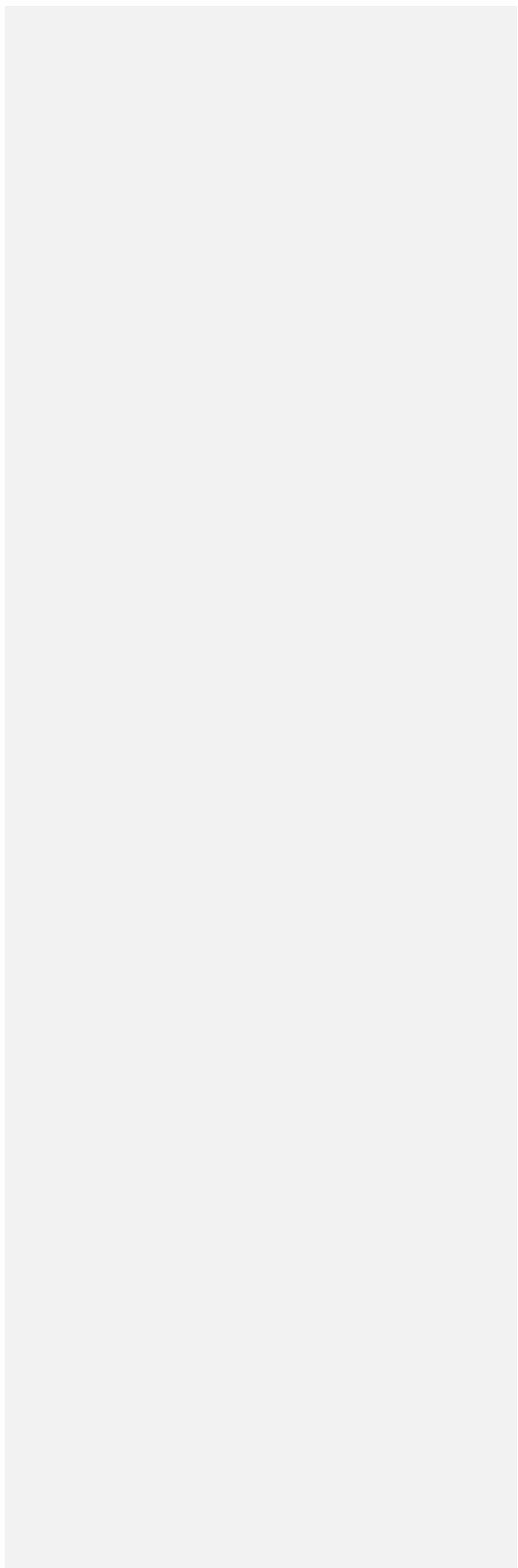
- 7.1. The Committee is asked:
- i. To review the options presented in the report and to make any recommendations to the Policy Committee on final preferred policy approach.

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# Manchester City Council Draft Statement of Licensing Policy under the Licensing Act 2003

2023 – 2028

DRAFT



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# Foreword by the Leader of Manchester City Council

For inclusion in published policy

DRAFT



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# 1. Guide to using this policy

This Statement of Licensing Policy (hereafter referred to as the 'Licensing Policy') is published under Section 5 of the Licensing Act 2003 and states how Manchester City Council, as the licensing authority, will regulate the licensing process locally to promote the four licensing objectives, which are:

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

Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. In most cases, this policy will be used when considering an application for a new licence, variation, or a review of an existing licence. It also sets out the licensing authority's approach to all operators on how it expects the licensing objectives to be promoted in Manchester.

Section 2 sets out how this policy applies in practice including how applications will be considered and determined on their respective merits.

Section 3 explains our vision for the city and how licensed premises and the night-time economy will contribute to its future.

~~The next sections set out how we will license venues.~~

We intend to frame our approach around the consideration of the nature of the venue, location, hours ~~and~~, operational management standards and the licence conditions- as set out in (Section 4).

Section 5 sets out operating steps to be considered as relevant to in relation to the operation of the business. Where relevant representations (objections) have been received, we will particularly consider those steps and the degree to which they have been addressed.

We have set out area profiles of various parts of the city (Section 6) to focus decision making in those areas. Some area profiles set out specific Special Policy approaches for that area.

Section 7 provides special considerations for licensing large events (both indoor and outdoor venues).

There are also sections relevant to other licensing processes and the considerations for each:

- Temporary Event Notices (Section 8)
- Designated Premises Supervisors (Section 9)
- Transfers of licences (Section 10)
- Personal Licences (Section 11)
- Licence Reviews (Section 12)
- Compliance and enforcement (Section 13)
- Shadow Licences (Section 14).

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~~Section 15 sets out how applications will be considered and determined on their respective merits.~~

The appendices provide a range of supplemental information relevant to licensing functions and matters contained in the policy.

Appendix A provides an overview of the licensing process generally.

Appendix B details the responsible authorities.

Appendix C explains how this policy integrates with other Council strategies.

Appendix D provides suggested policies and procedures for operators.

Appendix E gives further guidance on making a relevant representation for residents and other persons (Appendix E). All parties considering submitting comments in response to an application are strongly encouraged to have regard to it.

Appendix F summarises the process for applying for a film to be certified by the local authority.

Appendix G sets out the levels at which different licensing decisions are taken.

Appendix H provides a glossary of the key terms used in this document.

Appendix I provides a summary of crime and antisocial behaviour statistics for different areas.

## **Acknowledgement**

The licensing authority would like to thank colleagues at City of Newcastle, NSW, Australia and the use of their concepts and materials.

## 2. How this policy applies

All applications for new Premises Licences or variations need to be supported by an operating schedule. The schedule must specify (among other things) the steps that the applicant proposes to promote each of the licensing objectives.

If no responsible authority or other person lodges an objection (known as a 'relevant representation') to the application, the licensing authority must by law grant the application as set out in the operating schedule, subject only to mandatory conditions under the Licensing Act 2003. The steps proposed by the applicant will become licence conditions. The licensing authority will have no discretion to refuse the application or to alter or add to the conditions arising from the operating schedule.

Where there are relevant representations, a hearing of the opposed application before a licensing subcommittee will normally follow. Parties may avoid the need for a hearing where agreement can be reached on revised terms, eg. additional conditions, amended hours.

Where there is a hearing, the subcommittee must, having regard to the representations, take such steps as it considers appropriate to promote the licensing objectives. These may include refusing the application or adding to or modifying the conditions proposed in the operating schedule.

In exercising its discretion, the licensing subcommittee will have regard (among other things) to this licensing policy. Therefore, in drawing up their operating schedule, applicants would be well advised to read this policy carefully. Where an operating schedule complies with this policy, it is generally less likely that a responsible authority or other persons will object to it, or that any objection will succeed. Therefore, compliance with this policy is likely to assist the applicant to avoid the delay and expense of a contested licensing hearing, as well as the risk of a refusal or the addition of unwanted licence conditions.

This is not to say that an opposed application that complies with the policy will necessarily be granted or that an opposed application that does not comply with it will necessarily be refused. Nothing in this policy prevents an applicant being able to apply for a licence or variation and have it determined on its merits.

Where there have been relevant representations, the licensing authority will always consider the merits of the case, and interfere with the operating schedule only when, and to the extent, appropriate to promote the licensing objectives. Nor will blanket or standard conditions be applied without regard to the merits of the individual case. So, for example, the licensing authority will not interfere with an operating schedule that does not comply with this policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.

However, the policy represents the licensing authority's view of the best means of securing the licensing objectives in most normal cases. It has been drawn up in consultation with other expert bodies and responsible authorities, together with community stakeholders. While the contents of the operating schedule are a matter for the applicant, where there is objection to a schedule that departs from the policy, the licensing subcommittee hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the policy.

~~In this policy, there are references to the licensing authority's expectations of applicants. As explained above, the policy is only engaged where the licensing authority has discretion following the receipt of objections. In such cases, the licensing authority will not apply the policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.~~

~~Further, the licensing authority may use this policy when exercising other licensing functions. For example, when considering an application for review of a licence, the licensing authority is likely to view with concern premises that are being run in clear breach of the terms of this policy.~~

~~The contents of this section apply both to Premises Licences and Club Premises certificates.~~

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## 2. General Principles

The licensing authority must carry out its licensing functions with a view to promoting the four licensing objectives:

In carrying out its licensing functions, the licensing authority must have regard to this licensing policy and any guidance issued by the Secretary of State under Section 182.

In having regard to this policy, we will apply the principles set out in Section 4 in considering the merits of an individual application in tandem with any other relevant sections of the policy.

A key aim of this policy is to ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options (see Venue diversity, density and availability in Section 3) and so in the growth and development of areas, we aim to ensure that the grant of further licences (and variations) delivers this ambition.

In areas where the correct balance is not struck, the intention is to diversify the licensed economy there.

### How this policy applies

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All applications for new Premises Licences or variations need to be supported by an operating schedule. The schedule must specify (among other things) the steps that the applicant proposes to promote each of the licensing objectives.

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If no responsible authority or other person lodges an objection (known as a 'relevant representation') to the application, the licensing authority must by law grant the application as set out in the operating schedule, subject only to mandatory conditions under the Licensing Act 2003. The steps proposed by the applicant will become licence conditions. The licensing authority will have no discretion to refuse the application or to alter or add to the conditions arising from the operating schedule.

Where there are relevant representations, a hearing of the opposed application before a licensing subcommittee will normally follow. Parties may avoid the need for a hearing where agreement can be reached on revised terms, eg. additional conditions, amended hours.

Where there is a hearing, the subcommittee must, having regard to the representations, take such steps as it considers appropriate to promote the licensing objectives. These may include refusing the application or adding to or modifying the conditions proposed in the operating schedule.



In exercising its discretion, the licensing subcommittee will have regard (among other things) to this licensing policy. Therefore, in drawing up their operating schedule, applicants would be well advised to read this policy carefully. Where an operating schedule complies with this policy, it is generally less likely that a responsible authority or other persons will object to it, or that any objection will succeed. Therefore, compliance with this policy is likely to assist the applicant to avoid the delay and expense of a contested licensing hearing, as well as the risk of a refusal or the addition of unwanted licence conditions.

This is not to say that an opposed application that complies with the policy will necessarily be granted or that an opposed application that does not comply with it will necessarily be refused. Nothing in this policy prevents an applicant being able to apply for a licence or variation and have it determined on its merits.

Where there have been relevant representations, the licensing authority will always consider the merits of the case, and interfere with the operating schedule only when, and to the extent, appropriate to promote the licensing objectives. Nor will blanket or standard conditions be applied without regard to the merits of the individual case. So, for example, the licensing authority will not interfere with an operating schedule that does not comply with this policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.

However, the policy represents the licensing authority's view of the best means of securing the licensing objectives in most normal cases. It has been drawn up in consultation with other expert bodies and responsible authorities, together with community stakeholders. While the contents of the operating schedule are a matter for the applicant, where there is objection to a schedule that departs from the policy, the licensing subcommittee hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the policy.

In this policy, there are references to the licensing authority's expectations of applicants and defined policies stated. As explained above, the policy is only engaged where the licensing authority has discretion following the receipt of objections. In such cases, the licensing authority will not apply the policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.

Further, the licensing authority may use this policy when exercising other licensing functions. For example, when considering an application for review of a licence, the licensing authority is likely to view with concern premises that are being run in clear breach of the terms of this policy.

The contents of this section apply both to Premises Licences and Club Premises certificates.

### **Delegated powers**

Where no representations are made, the licensing authority must grant the application subject to mandatory conditions and appropriate conditions converted from the steps to promote the licensing objectives that were proposed in the application's operating schedule.

Many of the decisions and functions will be purely administrative in nature, and in the interests of speed, efficiency and cost-effectiveness, such matters are delegated to officers in the Licensing Unit.

See Appendix G for a full breakdown of the decision-making levels.

### **Licensing hearings**

Where there are relevant representations, a hearing will be held by a subcommittee of three councillors from the authority's Licensing Committee. Hearings will be scheduled in line with the regulations of the Licensing Act. The authority may extend these timescales, where it is permitted to do so, because of the complexity of issues, the number of submissions received, whether submissions are made in a timely manner and, particularly, the time taken by the applicant or other parties to respond to any questions or requests from the authority for further information.

The Licensing Act gives the authority a duty to have regard to the public interest in the performance of their licensing functions to *determine what actions are appropriate for the promotion of the licensing objectives in their area* (Section 182 Guidance, para 9.41).

This could involve granting a licence, granting with conditions attached, or refusing the licence. The same evaluative process is required by the Act whether the premises are currently operating or not. In all cases decisions should be made not only on whether there is currently crime, public nuisance etc present, but also on whether an application might lead to circumstances that could generate these, and therefore undermine the licensing objectives.

The authority will not stray into non-contested matters or identify further issues or material that have not been raised in submissions unless it considers necessary to do so in line with the authority's duty to ensure the promotion of the licensing objectives; if a Licensing Committee thinks that any evidence submitted is either unclear or misleading, or if it has questions that remain unanswered, it has the power to be inquisitive and ask questions of any party at the hearing (see Reg 17 of the Hearings Regulations 2005). The licensing authority will act on any material it considers plausible and apt to influence its judgment. The High Court has held that the only parameter to this power is 'relevance and materiality' (Murco Petroleum v Bristol [2010] para 30).

### **The role of the licensing objectives in decision-making**

While the licensing objectives are an important material factor, they do not enjoy exclusivity when it comes to deciding what is relevant, and the authority has full power to consider all factors, positive and negative, in relation to a proposal.

All these considerations involve a wider consideration of the geographic location in which the licensed venue sits, and how the application would impact upon this, and so the licensing authority will consider an application dynamically within its local context, with a view to determining what action (if any) is appropriate to promote the licensing objectives in each individual case.

Submissions identifying both positive and negative aspects of the proposed licensed premises will be taken into account by the authority when considering the overall impact of a licence application.

### **Each case determined on its merits**

Issues relevant to the likely effect upon the licensing objectives of an application being granted will vary according to the circumstances of each case and will be influenced by the extent of stakeholder participation. Each application will be determined on its merits.

'Promoting the prevention' (see Section 182 Guidance para 1.2+) of the objectives can be seen as actively working to create environments where the licensing objectives are less likely to be undermined. While decisions on this need to be evidenced, transparent and logical, by their nature they are often not clear-cut.

The Court of Appeal has made it clear that licensing decisions should involve 'an evaluative judgment' as opposed to a black and white pronouncement. Key to this is the way in which the issues and the evidence are dealt with. Although these are "...in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location... (this) is essentially a matter of judgment rather than a matter of pure fact." (Hope and Glory [2011] para 42).

The Court of Appeal is clear that licensing is an administrative function (Hope and Glory v Westminster [2011] para 41), to which a balance of probabilities applies. This means that licensing committees can decide – on the balance of probabilities – that the occurrence of an event was more likely than not.

Licensing committees are not courts of law, and in licensing decisions causality also needs to be seen within 'an evaluative judgment', and not necessarily to be proved beyond reasonable doubt. In making its judgment, a licensing committee will assess any evidence and its link with a particular premises with a view to ensuring the link is logical and transparent.

### **Need and commercial demand**

Whether or not there is a need or demand for a new licensed business is not a relevant consideration. However, the number of existing licensed businesses in a locality and the addition of a further outlet continue to be relevant to the issue of overall impact on the promotion of the licensing objectives.

### **Evidence**

The guidance does not bind committees by strict rules of evidence, although the key facts and contentions asserted in an application or relevant representation should be supported by relevant evidence or other material, eg. photos, press articles, videos.

Relevant evidence means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the application more probable or less probable than it would be without the evidence.

Where a party can support their case with relevant evidence, their case will be stronger than without.

The more improbable the event, the stronger the evidence would be expected to be to demonstrate its likelihood.

Evidence may, for example, come from the geographic location or the conduct of an operator. For new applications it is necessary to evaluate the impact that they may have on the objectives, and relevant evidence from the locality can be used to help with this. In most situations the best evidence is local information that can be seen as material fact and directly relevant to a specific case.

To the extent that contentions are based upon underlying material (eg. a police or Council submission based upon data on alcohol-linked crime rates or disturbance complaints in a community), then the underlying material upon which those contentions are based should be either made available to the authority or identified in a manner that would enable an opposing party to make an informed response.

Similarly, if any party makes a contention about the likely positive or negative social impact of a proposed licensed premises that is based upon research or statistics, the underlying research or statistics should be identified.

Notwithstanding the above, members of the local and broader communities may express their observations or opinions regarding the impact of a proposed licensed premises without providing expert or statistical evidence in support of those submissions.

Persons making submissions to the authority should be aware that their submissions will be given to the applicant and be contained in any committee report published by the authority for the determination of the application.

### **Cumulative impact**

Even if there is no cumulative impact policy, those making representations may still do so based on cumulative impact, and their representation will be considered on merit.

### **Hours**

We aim to promote high-venue diversity, a wide variety of entertainment options, inclusive and accessible venues, a diverse and multigenerational set of participants, and a safe public space.

Later hours will generally be more appropriate within the city centre than other areas of the city due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence. Nevertheless, many areas of the city centre are home to residents who have a right to sleep and enjoy their homes.

The licensing authority will generally expect hours to be appropriate for the locality. Where there are relevant representations, it will be for the sub-committee to determine if they agree with any characterisation of an area when considering an application before them, taking into account the information provided to them as well as applying their own local knowledge.

Hours will not be reduced as a bargaining tool to compromise; the starting point for the application is not important – it is the outcome that must be appropriate for the promotion of the licensing objectives. Applicants are strongly encouraged to apply for the hours they intend to operate, and it may be that not applying for (unwanted) later hours might reduce the likelihood of objections

against the application. The licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours.

We will use the time-period definitions (Section 5) to shape our approach and when applying the Evening Economy, Twilight, NTE and Late Night Economy concepts, it should be noted that there is a degree of crossover between them. This flex may be used to adjust the terminal hours as appropriate having regard to those for neighbouring venues.

While the quality of the venue and the operator will be an important consideration generally and may be a relevant consideration in justifying the appropriateness of a later terminal hour, it is often beyond the capacity of the operator to control the impact of customers once they have left the premises. The lateness of the terminal hour for the premises will often be a contributory factor in the risk of intoxication and potential for disturbance, and so licensed hours may be reduced to avoid:

- The likelihood of nuisance
- Peaks of dispersal.

The licensing authority will also be mindful of the risk of staggered closing times leading to 'migratory drinking' and problems on the streets as patrons move from closed bars to open ones.

### **Conditions**

If a relevant representation is made, the licensing authority will have the discretion to take appropriate steps to promote the licensing objectives.

Conditions that simply reflect good management practices should not generally be expected to appear on Premises Licences without very good reason. Instead, the licensing authority will aim to focus conditions to determine the fundamental issue of whether a premises can operate in a particular locality in a manner that prevents the licensing objectives being undermined.

While this policy advocates the use of a Plan of Management to demonstrate company policies and practices, this will not be a substitute for appropriate conditions given that a licence can be transferred to a different holder.

Relevant conditions will not be limited to measures set out in this policy, and the authority will consider whether there is evidence that shows it is appropriate to impose a condition specifically to promote one or more of the statutory licensing objectives, including public safety and protecting children from harm.

The licensing authority will not seek to micro-manage the operation of a business through the extensive imposition of conditions; however, it considers that a limited number of conditions are appropriate for the understanding by an operator regarding those specific requirements and to facilitate compliance monitoring.

When attaching conditions, the principles to be applied by the licensing authority are that conditions will be:

- Tailored to the premises and licensable activities concerned
- Appropriate, necessary and proportionate
- Precise, clear and unambiguous
- Practical, realistic and enforceable

- Non-duplicative of existing statutory requirements or offences
- Self-contained (ie. the reader should not need to look outside the condition itself to know precisely what is required)
- Modern and fit for purpose.

Conditions will not:

- Be applied as standard
- Replicate offences set out in the Licensing Act 2003 or other legislation
- Duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
- Seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff
- Require the admission of children to any premises.

The licensing authority will not impose conditions that restrict or prevent access by children unless relevant representations are made and doing so is considered appropriate to promote the licensing objectives. Where relevant representations are received, the licensing authority may seek to ensure that children are not permitted to enter or remain on licensed premises after a 'specified cut-off time' by attaching an appropriate licence condition. Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- Restrictions on the hours children may be present
- Restrictions or exclusions on the presence of children under certain ages when specified activities are taking place
- Restrictions on the parts of the premises to which children may have access
- Age restrictions (below 18)
- Restrictions or exclusions when certain activities are taking place
- Requirements for an accompanying adult (including, for example, a combination of requirements that state children under a particular age must be accompanied by an adult)
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

Conditions requiring the admission of children to any premises cannot be attached to licences. Where no licensing restriction is appropriate, this should remain a matter for the discretion of the individual licence holder, club or premises user.

### **Refusal**

Where, following relevant representations and a hearing, the authority is not satisfied that the imposition of conditions is appropriate and sufficient for the promotion of the licensing objectives, the authority can restrict licensable activities and/or hours. The authority may also refuse to specify the person nominated as Designated Premises Supervisor.

However, where all the above steps are not considered appropriate and sufficient to promote the licensing objectives by the authority, the policy is to refuse the application.

Applications will normally also be refused where an applicant is unable to demonstrate a satisfactory ability to ensure the promotion of the licensing objectives. This may be due to previous conduct or a lack of competency through deficient relevant knowledge, training, policies and procedures.

### **Notification of the authority's decision**

When the authority has determined an application, it will notify the applicant and any other party it is required to notify under the Licensing Act 2003.

At a hearing, the authority may, at its discretion, advise the parties in attendance of their decision before the formal decision letter is notified. However, it reserves the right to communicate its decision within five working days of the hearing, except in Summary Review matters.

### **Integration with planning and promoting consistency with the Local Plan**

The licensing process is separate from planning and building control regimes and shall be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters and, as such, licensing applications shall not be a rerun of the planning application. Where the hours granted by planning are different to the licensing hours, the licensee must observe the earlier closing time. Likewise, the granting of a Premises Licence or Club Premises Certificate (or a variation) does not negate the requirement for the licensee to ensure that relevant planning permission (or building control approval) is in place prior to the premises operating. Premises operating in breach of their planning permission may be liable to prosecution or other enforcement under planning law. Any applicant who chooses to apply for the relevant licence prior to obtaining planning permission is advised to be aware of the relevant planning policy for the locality.

Manchester's Local Plan guides development in the city, and an updated version is currently under review.

While licensing and planning applications will be considered separately, consistency between the strategies underpinning decision-making, ie. the Local Plan and licensing policy, can provide a complementary vision for the city. Therefore, the licensing authority as a responsible authority will engage with Planning as a responsible authority, with a view to promoting alignments between the respective strategies at the individual application stage.

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## 3. Our vision for the city

This Licensing Policy identifies strategic principles to shape the city's licensed economy over the next five years to ensure the safety, amenity and economic growth of the city, particularly at night. It will guide decision-making around the development of licensed premises and the role they play in place-making locally, as well as providing direction in helping to make Manchester:

1. A safe city in which people are confident they will not experience threat or harm
2. A diverse city with a wide range of options and offerings available
3. An inclusive city that welcomes and enables everyone to participate
4. A vibrant city renowned for a lively and energetic atmosphere or ambience

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5. A creative city, which is a source of innovation and cultural production enhancing city life.

The licensed economy plays a significant role in the city, operating 24 hours a day in a variety of capacities, including retail, commercial and social.

Through licensing, our approach will aim to:

- **Promote sustainable growth and attract investment through:**
  - Encouraging people to stay in Manchester for longer and growing the number of city visits
  - Hosting more major international events and building the profile of Manchester's visit offer
  - Supporting a local food and drink offer, recognising the importance of Manchester-based independent operators
  - Increasing culture-related tourism through the development of new international attractions
  - Maximising the benefits of an ageing population through developing the appeal of the leisure economy so that it is attractive to the older generation
  - Encouraging responsible and socially conscious operators seeking to harness new technologies that promote sustainability and carbon-output reduction.
- **Minimise harm associated with misuse and abuse of alcohol** (including harm arising from violence and other antisocial behaviour). This includes encouraging responsible attitudes and practices towards the promotion, sale, supply, service and consumption of alcohol.
- **Promote venues and places that are clean and welcoming and where people feel safe and secure.**
- **Support skilled employment, careers and other opportunities in the live music industry, and arts, tourism, community and cultural sectors**<sup>1</sup> that are linked to formal qualifications where possible, creating a more diverse talent pipeline.
- Offer a variety of vibrant and diverse activities, entertainment and food and drink options that appeal to a broad range of people so they keep them coming back.
- **Ensure strong partnerships** between businesses, local authorities and the police, which help to create a supportive and enabling environment for night-time activities.
- **Develop a night-time economy that is inclusive and celebrates diversity** to build a positive and welcoming atmosphere, attracting people from all walks of life.
- **Ensure good management and regulation** to ensure that the licensed premises operate in a responsible and sustainable way, promoting safety and reducing the negative impacts on residents and the environment.

It is essential that the city grows sustainably as more people choose to live and work here, creating attractive places while responding to increasing demand for city-centre space.

A well-planned night-time economy has a significant role to play in the city's continued growth and progress, and exerts a major influence over the visitor and cultural economies.

<sup>1</sup> [gm-skills-intelligence-pack-hospitality-sept-2021.pdf \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/gm-skills-intelligence-pack-hospitality-sept-2021.pdf)



Licensed premises are a key employer and major generator of revenue for the local economy, in addition to their value in attracting visitors and encouraging people to live in the area.

Licensed premises provide a range of careers, employment and other opportunities in the live music industry, as well as in the arts, tourism, community and cultural sectors. The city has found that more music events, workshops and taster sessions, and more activities for young people are desired by residents in the city. By tying these together, it provides an opportunity for social interaction, but could also play a pivotal role in career interest and development in relation to music, while creating the audiences of the future. This would feed into the city's objectives to create a thriving and sustainable city, and to be a highly skilled city.

The music scene in Manchester is a major contributor to the city's economy,<sup>2</sup> supporting thousands of jobs and attracting a substantial number of music tourists and others to the city. It can also be the driver to continue employment opportunities, as it can provide the chance to create, produce and promote events and businesses connected to the older population.

We want to support the creation of a fair economy. This would include ensuring that staff and artists are sufficiently remunerated for work and performances in the city, and that existing members of the hospitality ecosystem have access to ongoing training and information that can support development and work towards sustainable, long-lasting careers. Around 21% of full-time night-time economy workers earn less than the living wage, compared to 14% across all Greater Manchester full-time workers. For part-time workers it's even more striking: around 53% of part-time night-time economy workers earn less than the living wage (compared to 44% of all part-time employees in Greater Manchester).<sup>3</sup>

The impact of the COVID-19 pandemic on the hospitality sector has been significant and the impacts continue to be felt, compounded by the increasing cost of living. Cultural venues are an essential element in bringing people back to the city centre, and reinvigorating Manchester's visitor and daytime and evening economy.

The growth of alfresco dining and drinking, instigated by the pandemic and through the introduction of pavement licences, has led to reimagination of many businesses and areas of the city, particularly the city centre. The licensing authority is keen to support the development of such uses, where appropriate, particularly where enabling such alfresco uses positively contributes to the ambitions of this policy and the city.

While we aim to leverage the opportunities a vibrant night-time economy brings, we will address its inherent challenges. In particular, ~~four issues~~ the following issues stand out when considering the impact of licensed premises on the night-time economy:

- ~~1. Venue diversity, density and availability~~
- ~~2. Noise and land use conflicts~~
- ~~3. Vulnerability, including women's safety~~

<sup>2</sup>

[https://www.manchester.gov.uk/news/article/9032/new\\_report\\_shows\\_the\\_value\\_of\\_manchesters\\_music\\_economy\\_to\\_the\\_city](https://www.manchester.gov.uk/news/article/9032/new_report_shows_the_value_of_manchesters_music_economy_to_the_city)

<sup>3</sup> GM Night-Time Economy Strategy

#### 4. Alcohol-related violence.

### **Creating a vibrant and inclusive social economy**

This policy outlines our plan to promote a more accessible and inclusive place for everyone, particularly in the night-time economy.

#### **Venue diversity, density and availability**

We aim to promote growth and ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options.

We aim to strategically encourage growth in line with the following range of characteristics, which we consider define a night-life cluster contributing to night-time cultural vibrancy without unduly impacting the surrounding areas:

- A mix of different venue types and sizes
- One or more destination venues
- A mix of licensed and unlicensed venues
- Managed impacts on surrounding residents in terms of sound and antisocial behaviour
- A point of difference and a sense of place
- Transport connectivity
- Walkability within the cluster and between neighbouring clusters
- Good opportunities for people watching
- Resilience to change in venue mix.

Supporting the growth of diverse options will provide greater accessibility to the city at night and increase the overall level of participation.

The authority considers that licensed premises being located next to one another in a 'cluster' have the propensity to lead to greater risks of behavioural issues (including antisocial behaviour), an oversupply and overconsumption of alcohol, property damage, violence, traffic issues and other noise disturbances due to (but not limited to) the potential flow-on effects of patrons moving from one licensed premises to another.

A cluster of homogenous venues can facilitate a dominant culture that is limited and exclusive. In contrast, a diverse mix of venue styles and types will attract a diverse range of participants, in turn contributing to better perceptions of safety.

A diversity of venues is understood to be a key contributor to a sense of vibrancy. It is also important for the development of cultural spaces and broader social diversity, which are important preconditions for an inclusive society accepting gender, ethnic and subcultural differences.

~~Ultimately, we aim to promote growth and ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options.~~

~~We aim to strategically encourage positive cluster development in line with the following range of characteristics, which we consider define a night-life cluster contributing to night-time cultural vibrancy without unduly impacting the surrounding areas:~~

- ~~• A mix of different venue types and sizes~~

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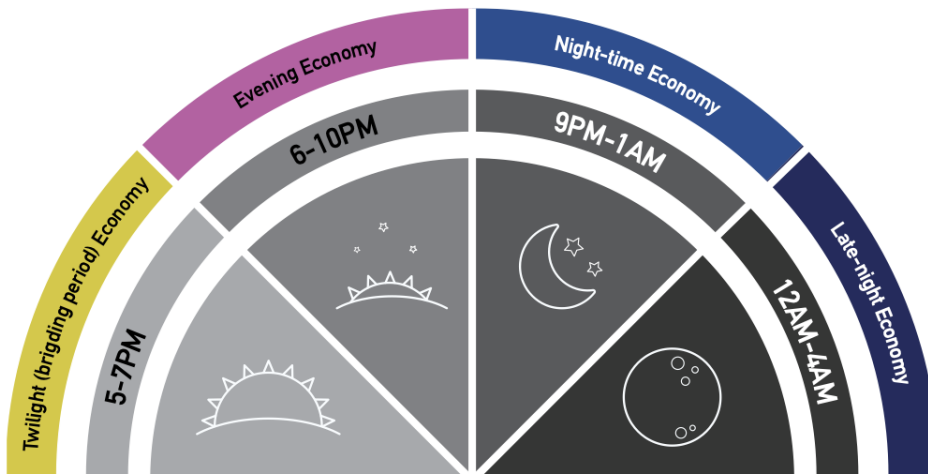
- One or more destination venues
- A mix of licensed and unlicensed venues
- Managed impacts on surrounding residents in terms of sound and antisocial behaviour
- A point of difference and a sense of place
- Transport connectivity
- Walkability within the cluster and between neighbouring clusters
- Good opportunities for people watching
- Resilience to change in venue mix.

The development of Ancoats through smaller 'limited impact' licensed venues and a burgeoning creative and dining scene is a good example of the positive regenerative effects licensed premises can bring in tandem with other uses in the development of successful and appealing places. This approach of more diverse venues attractive to broader demographics demonstrating limited impact deserves further encouragement, and it is an approach we wish to promote in other areas of the city, particularly those where a late-night economy would be unsustainable.

### **Pro-active Night-time planning**

Just as activity takes place across the city in separate places throughout the day, it also occurs in diverse ways throughout the night. There are key times of night when there is a change in the types and diversity of venues available, the ease of access to public transport, and a changed compliance environment, such as noise thresholds. As the night goes on, different demographics and night-life cultures emerge to prominence, and with them various kinds of activity, behaviours, service needs and risk profiles.

This policy adopts a model that acknowledges distinct but overlapping phases, each with its own unique character and set of opportunities for alcohol management, cultural experience and economic development, as set out below:



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Different approaches may be appropriate between these different time periods, as they involve shifting demographics; for example, we know that late-night economy periods are more likely to be populated by younger persons and can produce increased demand on resources (eg. policing, taxis and private hire). By demarcating an overlap between time periods, this approach ensures that any initiative targeted at a key time of night must also acknowledge and accommodate the tail and emergence of the time periods both prior and following as well as recognising differences in perception. Importantly, the boundaries of these time periods are not set in stone but are the product of policy, culture and venue availability. They are open to change as we develop our city at night.

There are also key growth periods that present greater opportunity for economic development and cultural activity of the kinds that contribute to our vision of a safe and vibrant night-time economy. For instance, the twilight period, while not strongly associated with the night-time economy, is important for capturing the activity of the daytime economy and transitioning into strong levels of evening economy activity in night-life areas. Research shows that if people can be retained through the twilight period, then night-time dining and cultural activity can be significantly strengthened.

However, the consideration of the hours of operations during all times of the day will be a relevant consideration: daytime activity can often be considerable and the start time for licensable activities will always be an important consideration, particularly in relation to the start time for the sale and supply of alcohol.

### **Inclusive social opportunities**

This licensing policy aims to create a vibrant and welcoming community for everyone by fostering a culture of accessibility and inclusivity in our licensed premises.

Our objective is to create a supportive environment in which older people and those with disabilities can access and enjoy licensed premises without facing any barriers. It is crucial that we make every effort to ensure that they can continue to enjoy their leisure time, participate fully in community life, and enjoy the same social opportunities as everyone else. This will be achieved by raising awareness among venue owners and managers about the needs of generations, encouraging the adoption of age-friendly practices, and creating opportunities for social interaction among older patrons.

We will launch a targeted awareness campaign to educate venue owners, managers and staff about the importance of accessibility and inclusivity for older people. This will include sharing best practices, providing guidance on accessible design, and offering resources to help businesses adapt their premises and practices to better serve seniors.

We will partner with local senior organisations to facilitate dialogue between venue owners and older people. By creating a platform for communication, we aim to ensure that the voices and needs of seniors are heard and taken into consideration when making decisions about licensed premises.

For seniors, we encourage local licensed premises to host events specifically designed for older people. These events may include activities such as dancing, trivia nights, or cooking classes, providing a chance for seniors to socialise and build connections with their peers in a comfortable and age-friendly setting.

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We encourage venues to host events specifically designed for disabled patrons. These events may include activities such as live music, accessible games, or movie screenings with open captions, providing a chance for disabled patrons to socialise and build connections with their peers in accessible and welcoming settings.

To measure the impact of our efforts, we will monitor and evaluate the accessibility and social opportunities provided by licensed premises in our community surveys to gather feedback from seniors and venue owners. This data will help us refine our strategies and ensure that our vision is being realised.

### **Promoting a Liveable City**

Our goal is to find the correct balance locally to enable a high quality of life for residents, where local businesses can thrive, and there is an appropriate variety of activities day and night. The Our Manchester Strategy sets out the city's ambition to be a world-class city. Including the aspiration to be a liveable city in which we will create sustainable, safe, resilient and cohesive neighbourhoods, including accessible cultural facilities. Manchester is a diverse city and challenges vary significantly with some areas, particularly the city centre, grappling with urban development and growth whilst many neighbourhoods facing issues relating to poverty, unemployment and social inequality.

### **Noise and balancing mixed-use areas**

City centre residential density is increasing as city living rises in popularity. With this comes the challenge of balancing the needs of those calling the city centre home, and those who visit solely for entertainment.

There is an expectation that life in a city centre is going to involve denser social and business interactions, typically with later trading venues and increased noise levels, and that these will extend beyond the comparative time periods of suburban neighbourhoods. Noise can arise in different ways from licensed premises, such as music or other sources breaking out from the venue, noise from customers using external areas, and when departing and dispersing from the venue.

While it is important to manage the expectations of residents in such areas regarding levels of background noise, the right of residents to not be unduly impacted by noise from licensed premises, particularly late at night, should be taken seriously. Although such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep is a possibility. However, city centre residents need to accept that city life involves a degree of noise and activity.

One policy approach to managing this tension between the valuable social, cultural and creative benefits of live music and performance, and the legitimate demands of city residents not to be unduly disturbed, is called the 'agent of change' principle, ie. the person or business responsible for the change will be responsible for managing the impact of the change. Consistent with this recommendation and ~~in line with likely forthcoming~~ recognising 14.66 of the s182 Guidance statutory licensing guidance, the policy of the Council will be to respect the agent of change

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principle and the licensing authority will expect responsibility for ~~noise management measures~~ suitable mitigation measures to be taken by the incoming agent of change.

### **Making Manchester Fairer**

Our aim is to ensure that the licences we grant do not undermine the core principles and values of the city’s action plan to tackle inequalities, “Making Manchester Fairer”. We aim to support this strategy by ensuring that alcohol is sold and supplied responsibly, such as preventing over-service and drunkenness, as well as restricting alcohol to underage persons, and to ensure the availability of alcohol does not foster a supportive environment for people who are dependent on alcohol and need to reduce their drinking.

In line with the Making Manchester Fairer Strategy, through the promotion of a local area approach we aim to promote equity, not only to improve outcomes across all of Manchester compared to other parts of the country, but also assist any certain groups or communities who may need further support to get to the same vantage point.

Previous research has shown there is a link between increased availability of alcohol and increased alcohol consumption. However, the impacts of alcohol consumption in a population are not felt equally across society. Increased levels of deprivation are associated with increased levels of alcohol-related harm. Higher rates of deaths from alcohol and higher rates of alcohol-related hospital admissions have been reported in more deprived areas, despite similar or lower levels of alcohol consumption when compared to less deprived areas. In the UK, alcohol-specific mortality was reported as 5.5 times higher in the most deprived communities, despite a higher proportion of the population from the least deprived communities drinking above recommended limits. The extent of place-based deprivation is calculated using a range of metrics including health, crime, income, employment, housing, and education.

Manchester is ranked the 6th most deprived local authority in England. There were 2,286 alcohol-related admission episodes in Manchester recorded from 2021-2022 (PHOF<sup>4</sup>), which translates to a directly standardised rate of 554 per 100,000 (PHOF). This is significantly higher than both the national (494 per 100,000) and regional (511 per 100,000) average (PHOF). Many people suffering harm due to alcohol misuse do not enter treatment; therefore, the treatment numbers may not necessarily reflect the level of hidden harm being experienced by residents who may be dependent on alcohol but have not presented for treatment. Alcohol-related harm also extends beyond the individual, impacting both the family unit and wider community. In Manchester, there were 135 alcohol-related hospital admission episodes in people under 18 recorded between 2018/19 to 2020/21 (PHOF). This translates to a rate of 36.6 per 100,000, statistically significantly higher than the national average (29.3 per 100,000) (PHOF).

Children who do not consume alcohol themselves may also experience alcohol-related harm through indirect means. Data from 2018-2019 National Drug Treatment and Monitoring Services (NDTMS) estimates 1692 adults dependent on alcohol live with children in Manchester, resulting in an estimated 2,770 - 3,008 children being directly impacted by alcohol misuse in the home. Furthermore, 794 children in need assessments performed in Manchester cited alcohol misuse

<sup>4</sup> [Public Health Outcomes Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/public-health-outcomes-framework)

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by a parent as an issue. Living with an adult who misuses or is dependent on alcohol is regarded as an 'Adverse Childhood Experience' (ACE),

Existing research suggests that a higher density of alcohol licensed premises is associated with higher levels of binge drinking and violence. Research has also shown that homelessness and alcohol misuse are linked, thus individuals residing in temporary accommodation may be more vulnerable to alcohol-related harm.

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## **Creating a vibrant and inclusive social economy**

This policy outlines our plan to promote a more accessible and inclusive place for everyone, particularly in the night-time economy.

Our objective is to create a supportive environment in which older people and those with disabilities can access and enjoy licensed premises without facing any barriers. It is crucial that we make every effort to ensure that older people and people with disabilities can continue to enjoy their leisure time, participate fully in community life, and enjoy the same social opportunities as everyone else.

This will be achieved by raising awareness among venue owners and managers about the needs of generations, encouraging the adoption of age-friendly practices, and creating opportunities for social interaction among older patrons.

By fostering a culture of accessibility and inclusivity in our licensed premises, this licensing policy aims to create a vibrant and welcoming community for everyone.

### **Raising awareness**

We will launch a targeted awareness campaign to educate venue owners, managers and staff about the importance of accessibility and inclusivity for older people. This will include sharing best practices, providing guidance on accessible design, and offering resources to help businesses adapt their premises and practices to better serve seniors.

### **Collaboration with local organisations**

We will partner with local senior organisations to facilitate dialogue between venue owners and older people. By creating a platform for communication, we aim to ensure that the voices and needs of seniors are heard and taken into consideration when making decisions about licensed premises.

### **Encouraging social opportunities**

For seniors, we encourage local licensed premises to host events specifically designed for older people. These events may include activities such as dancing, trivia nights, or cooking classes, providing a chance for seniors to socialise and build connections with their peers in a comfortable and age-friendly setting.

We encourage venues to host events specifically designed for disabled patrons. These events may include activities such as live music, accessible games, or movie screenings with open captions, providing a chance for disabled patrons to socialise and build connections with their peers in accessible and welcoming settings.

**Monitoring and evaluation**

To measure the impact of our efforts, we will monitor and evaluate the accessibility and social opportunities provided by licensed premises in our community surveys to gather feedback from seniors and venue owners. This data will help us refine our strategies and ensure that our vision is being realised.

**Reducing vulnerability and improving women’s safety**

We are committed to ensuring Manchester is a safe and welcoming city for everyone, regardless of their gender, ethnicity, sexuality, beliefs or background. Sadly, this is not always the case. The increase in reports of drink spiking and the demand for welfare and police services indicate that there is important work to be done in developing Manchester’s night-time economy to improve actual and perceived safety for visitors, residents and those who work in the city at night.

Operation Mantle sees police officers seeking to identify predatory behaviour against women and girls and includes individuals following, harassing and other types of misogynistic behaviour; some of which goes unreported. As well as improving safety, this operation is intended to change assumptions that women and girls should naturally tolerate such behaviour.

Operation MakeSafe also operates with hotels in the city centre, where officers visit hotels to raise awareness with staff about predatory behaviour, spiking and to carry out test purchases to ensure staff challenge and know how to respond.

This policy aims to ensure that vulnerability and women’s safety is an important consideration in decision-making in the night-time and late-night economy throughout the city. The licensing authority will keep the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence under review.

Operators are strongly encouraged to develop a harm-reduction policy for their business and ensure sufficient measures to protect and provide support to customers in spiking and vulnerability incidents.

We aim to promote best practices, including the [Night Time Industry Association \(NTIA\) standards of good practice](#) for dealing with spiking and having a duty of care for customers (see Steps to Promote the Licensing Objectives) as well as integrate with other safety-related initiatives in the city:

- Promoting [Manchester’s Women’s night-time safety charter](#) and supporting the delivery of WAVE training across licensed premises
- Village Angels and Student Angels volunteer programmes
- The provision of a dedicated Welfare Unit offering medical and other support during weekends
- Proactive welfare checks at licensed premises
- The [Manchester Good Night Out Guide](#), promoting information for all visitors to Manchester on enjoying a safe night out in the city
- Working closely as part of the [Manchester Water Safety Partnership](#)
- Marshalled taxi ranks in our prominent night-time economy areas at weekends.

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## Reducing alcohol-related violence

The role of alcohol in the night-time economy is prominent, and the social and economic risks of its unmitigated and irresponsible supply and consumption for night-life participants and city residents alike are important considerations. Managing the adverse impacts of alcohol is a strategic priority to reduce levels of alcohol-related violence and antisocial behaviour, as well as the broader social costs associated with irresponsible supply and consumption of alcohol.

Overconsumption of alcohol at licensed premises is a principal contributor to alcohol-related harm and late-night incidents. Most measures intended to limit customer over-intoxification rely on actions being taken by the management and staff at the licensed premises. Therefore, responsible service and good-quality venue management are important. This policy sets out expectations for training in alcohol service, and the licensing authority encourages operators selling alcohol to support the development of their servers through holding personal licences.

Alcohol venue licence density can be a strong predictor of alcohol-related violence. Research acknowledges that a range of factors contribute to a higher risk of violence:

- Quantity of alcohol sold
- Level of adherence to responsible service guidelines
- Style of venue
- Trading hours
- Patron numbers and demographics
- Type of drinks consumed
- Socioeconomic factors
- Environmental characteristics and the density of alcohol outlets.

Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises; therefore, it has no bearing on the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy.

There are three key aims of this policy: to promote partnership across businesses involved in the city centre's night-time economy, improve information-sharing, and reduce levels of crime and disorder associated with licensed premises. Venues and operators are expected to collaborate locally to deter and prevent access by known troublemakers using facilities currently available, such as NITENET and DISC for city centre venues and local pubwatch networks.

## Promoting Partnership working

### NITENET and DISC

We aim to promote and support joined-up security and street operation between neighbouring premises. Within the city centre, we support the use of the NITENET radio network by licensed operators.

Manchester's Business Crime Reduction Partnership (BCRP) helps to create a safe and secure city for customers, staff and visitors by reporting and tackling business-related crime, supporting

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The BCRP supports the work of Greater Manchester Police, Manchester City Council, Salford Council Licensing Units, and Antisocial Behaviour teams to run a city centre Civil Exclusion Scheme. Thousands of crime incidents are recorded, persons identified, and exclusion notices issued.

BCRP members can as well as managing access to the NITENET security radios connected to Manchester city centre's CCTV (closed circuit television) room, and real-time intelligence via a secure online portal (DISC) to see data on offenders.

The following three key criteria (one will suffice) will be considered:

- 1. Is the venue in a cluster of venues in the city centre (eg. Peter Street, the Village)?
- 2. Is the venue situated in an area with known antisocial behaviour/crime issues?
- 3. Is the venue operating late at night?

3. \_\_\_\_\_

### Local area network meetings

The licensing authority and responsible authorities endeavour to provide effective support to operators and trade groups, including the Village Licensing Business Association (VLBA) and the Manchester Pub and Club Network, providing advice and guidance and effective personal engagement.

The Manchester Pub and Club Network meet approximately 3 to 4 times per year at venues across the city centre hosting various guest speakers that offer a citywide and national strategic view of the licensing sector. The aim of the network is:

- To bring licensed premises and key stakeholders together to form a strong localised and city wide business network.
- To build relationships between all parties, and to identify and implement activity which will improve and enhance city wide trading conditions.
- To share information and sector relevant intelligence with Manchester City Council, Greater Manchester Police, GMFRS and other stakeholders, to the advantage of the network. (For example changes to licensing regulations, trends in businesses crime, transport and infrastructure or opportunities such as local events and festivals.)

Localised Manchester Pub and Club networks meet on a quarterly basis and deal with day-to-day operations and localised issues including but not limited to changes to licensing regulations, trends in businesses crime, transport and infrastructure or opportunities such as local events.

These networks include:

- Northern Quarter 1 (Tariff st to Oldham Street)
- Northern Quarter 2 (Oldham st to Shudehill)
- Peter street area
- Oxford road area
- Deansgate Locks/First street
- Central Retail district
- Printworks/Exchange Square
- Ancoats

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- Piccadilly Area
- Village area (in partnership with the VLBA)
- Castlefield (to be launched in 2024)

## 4. How we will consider Premises Licence applications

“...the simple question should be whether (the proposal) does any harm and, if it does, how this can be mitigated without disproportionate restraints.”<sup>5</sup>

~~When considering this question, it should be noted that licensed premises and the activities that take place at those premises exist in a dynamic environment, and so cannot be looked at entirely in isolation. There are multiple and intersecting factors; some of these can be controlled by licensed premises, while others are clearly external, eg. pre-loading by customers, that affect the premises' impact on the promotion of the licensing objectives.~~

~~Many factors are known to be compounding, eg. overcrowding can combine with patron intoxication, lighting, loud noise and poor ventilation to elevate the risk of problems. Other factors have been shown to reduce alcohol-related harm, such as visibility of police, adequate lighting, and well-trained, knowledgeable staff exercising due diligence.~~

~~However, G~~generally, licensing will focus on ~~the consideration of~~ four main ~~questions~~considerations:

- **What**~~cultur~~
- **Where**
- **When**
- **How**.

~~When considering these, it should be noted that licensed premises and the activities that take place at those premises exist in a dynamic environment, and so cannot be looked at entirely in isolation. There are multiple and intersecting factors; some of these can be controlled by licensed premises, while others are clearly external, that affect the premises' impact on the promotion of the licensing objectives.~~

~~Many factors are known to be compounding, e.g. overcrowding can combine with patron intoxication, lighting, loud noise and poor ventilation to elevate the risk of problems. Other factors have been shown to reduce alcohol-related harm, such as adequate lighting and well-trained, knowledgeable staff exercising due diligence.~~ A comprehensive local area risk assessment helps evaluate the potential impact of granting a licence ~~for activities such as the sale of alcohol, provision of regulated entertainment, and late-night refreshments in a specific~~

<sup>5</sup> Covid-19 and the future of the social economy, Philip Kolvin KC and Alicia Scholer (2020) [Covid-19 and the future of the social economy - NIGHTTIME.ORG](https://www.nighttime.org.uk/resources/covid-19-and-the-future-of-the-social-economy)

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~~area. This assessment aims to identify potential risks and mitigate negative consequences associated with the licensed premises, ensuring that the licensing objectives are promoted. By identifying risks, evaluating their severity, and proposing mitigation measures, the assessment can help promote responsible licensed activities that align with the licensing objectives and minimise negative consequences for the community.~~ The ability to appropriately assess risk and understanding of the local issues is also an appropriate consideration (see the operational standards of management). Therefore, failure to identify relevant concerns may be a relevant consideration.

**When relevant representations are received, the authority will consider (without limitation) the following aspects of a relevant application when assessing the overall impact of a licence, authorisation or approval being granted:**

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**What**

- Proposed licensable activities and how the application aligns with any Licensable Activity Special Policies (see below)
- Nature of the business and how this impacts on the mix of venue types, including non-alcohol-related entertainment options (see Venue diversity, density and availability in Section 3)
- Physical make-up of the business.

**Where**

- Location and suitability of the premises, including:
  - how the proposal aligns with the vision for the city (Section 3), ~~and~~
  - ~~likely impacts on the locality, as set out in Section 4 below, and~~
  - any local area policy in Section 6.

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**When**

- Days and hours of operation, particularly in relation to divergent phases of the night-time economy, as set out in Section 4:
  - Twilight (5–7pm)
  - Evening economy (6–10pm)
  - Night-time economy (9pm–1am)
  - Late night economy (12 midnight–4am+).

**How**

- Operational standards of management, licence conditions, and the ability of these to mitigate identified risks.

**Licensable activities**

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The proposed licensable activities and how the application aligns with any Licensable Activity Special Policies (below).

**Licensable Activity Special Policies**

When representations are received for the application, the licensing authority intends to take the following approaches relating to the listed licensable activities:

***LASP1 Boxing and wrestling***

It is the Council’s policy to refuse any application for bare-knuckle fighting or slap-fighting contests unless there are exceptional circumstances for granting. The licensing authority would expect any applicant for such events to provide comprehensive risk assessments, particularly around competitor safety, medical and safeguarding arrangements. The licensing authority considers these activities carry severe risks related to the welfare of participants and any applicant would be expected to provide compelling reasons how these would be addressed.

***LASP2 Exhibition of films***

It is the Council’s policy that no R18-rated material should be shown without a sex cinema licence under the Local Government (Miscellaneous Provisions) Act 1982 or where an exemption for such a licence has been granted by the Licensing Authority. This is to ensure that appropriate sex cinema provisions under the LGMPA can be exercised.

***LASP3 Operation of Challenge 25 in age-verification policies***

Mandatory licence conditions require all premises licensed to sell alcohol to have an age-verification system in place. The licensing authority’s preferred approach is Challenge 25, whereby any person considered by the server to be under the age of 25 needs to provide proof that they are aged 18 or over. This is to promote vigilance in staff selling alcohol and to reduce the likelihood of underage alcohol sales.

***LASP3 Delivery services (for alcohol and late-night refreshment)***

In considering applications for delivery services, in addition to other relevant elements of the policy, the licensing authority will consider how the applicant will ensure that this service is not likely to adversely impact on the licensing objectives:

- Whether delivery services will be carried out by third parties or in-house staff,
- Nature of the vehicles used,
- Likely local areas of delivery,
- How vehicles and delivery couriers will service the venue (parking, waiting areas etc),
- Any contractual arrangements with delivery services, including disciplinary procedures,
- History of compliance,
- Any proposed restrictions on service,
- Arrangements for age verification,
- Prohibitions on delivering alcohol to open spaces or parks, such as Castlefield Arena, including associated landmarks.

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The authority considers there are risks associated with delivery services for alcohol and/or late-night refreshment:

- The deliveries would likely be to residential addresses where there was a risk of noise nuisance at the delivery point.

- Public nuisance can arise from delivery activities due to noise and disturbance during the collection process and the delivery process.
- Alcohol for immediate consumption delivered in the early hours of the morning is likely to be consumed by someone who has already been drinking.
- At off-licensed premises, there is direct supervision when a customer places an order for alcohol. Staff can refuse to serve a customer who appears to be intoxicated or underage. Refusal logs are kept; CCTV is available to be reviewed by the responsible authorities.
- Delivery drivers and riders contravening highway regulations, including illegal parking, riding through red lights, jump between pavement and road lane cycling, and cycle without lights
- Where alcohol is served by a delivery, the items have already been paid for before the courier arrives at the delivery location. Typically, couriers will wish to finish the job as soon as possible and it is questionable whether it can be reasonably expected that a courier, eager for the next job, would robustly carry out the necessary checks, e.g. wait for a customer to produce ID documents or to show that the recipient is the same person who placed the original order, associated with refusing the sale of alcohol and then having to deal with the added workload of returning the goods.
- The responsible authorities are unable to effectively check couriers in a delivery-only model as envisaged by the appellant.
- The risk of alcohol deliveries to public drinking hotspot areas, landmarks, or events and contravention of the city's Public Space Protection Order on drinking alcohol in unlicensed public areas.

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Although home delivery reduces footfall in night-life areas, it carries the risks outlined, and applications for delivery services will be considered on their respective merits, having regard to how effectively such risks are identified and addressed, through any specific measures and processes the applicant or third party has put forward to mitigate them.

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In considering applications for delivery services, in addition to other relevant elements of the policy, the licensing authority will consider how the applicant will ensure that this service is not likely to adversely impact on the licensing objectives:

- Whether delivery services will be carried out by third parties or in-house staff
- Nature of the vehicles used
- Likely local areas of delivery
- How vehicles and delivery couriers will service the venue (parking, waiting areas etc)
- Any contractual arrangements with delivery services, including disciplinary procedures
- History of compliance
- Any proposed restrictions on service
- Arrangements for age verification.

Where relevant representations have been received in relation to applications for premises that provide a delivery service, we shall consider imposing a condition that those deliveries are only made to a fixed physical address. This is to avoid risks of alcohol being supplied to persons likely to undermine the council's PSPO on alcohol consumption in unlicensed public places.

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***LASP4: Alcohol supplies in residential and office environments, including the use of vending machines for alcohol or autonomous technology***

There is a growing trend for accommodation and co-working spaces to seek to provide alcohol to residents, employees and their guests by way of bar facilities or vending machine. In all cases, the licensing authority will expect applicants to demonstrate how their operational setup ensures compliance with the mandatory licensing objectives, particularly in relation to refusing service to intoxicated people and how their age verification policy will, as a minimum, require individuals who appear to the responsible person to be under the age of 18 years of age to produce on request (before being served alcohol) identification bearing their photograph, date of birth, and a holographic mark. We will also expect applicants to provide appropriate time limits for the supply of alcohol and limit the products available e.g. by way of ABV, as well as staffing and supervision arrangements to avoid risks of antisocial behaviour and intoxication, particularly during later hours.

For applications to provide the supply of alcohol by way of a vending machine, the licensing authority's starting point will be for such machines to require appropriate checks to take place before alcohol can be supplied before such machines can be activated for each transaction. We will also expect low and no-alcoholic product options to be provided alongside to promote responsible alcohol consumption.

**Nature of the business**

While many venues typically may not neatly fit a generic category, understanding the primary nature of the venues will be influential in anticipating the likely effect on the promotion of the licensing objectives, as some venues can typically have a lower impact.

Typically, licensed premises will provide varying dynamics between drink, food and entertainment provision dependent on the operating style. However, the alcohol-centric nature of the late-night economy means controlling the availability of alcohol will typically be a prime factor in controlling the risk of incidents of violence and antisocial behaviour during this period. Therefore, the licensing authority will take a stricter view in relation to the supply of alcohol at venues in areas where the balance is not struck.

However, this principle ultimately applies to all venue types. ~~A key aim of this policy is to ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options (see Venue diversity, density and availability in Section 3) and so in the growth and development of areas, we aim to ensure that the grant of further licences (and variations) delivers this ambition. In areas where the correct balance is not struck, the intention is to diversify the licensed economy there.~~

Venues may be defined as follows but are not limited to:

- Drinking establishment
- Entertainment venue
- Experiential entertainment venue, such as Escape Rooms, Minigolf venues

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- Food and dining venue
- Hot-food takeaway
- Dark kitchen - food preparation facilities designed solely for the purpose of preparing food for delivery or takeout, and operating without a traditional front-of-house dining area, instead, they focus exclusively on cooking and fulfilling orders for delivery through various food delivery apps or platforms.
- Off-licence – retail providing the sale of alcohol for consumption off the premises
- Alcohol delivery services – supplying alcohol through fulfilling orders for delivery only from a remote storage site.
- Hotels and other residential properties, including offices and co-working spaces
- Theatre
- Cinema
- Music hall
- Concert hall
- Dance hall
- Art gallery, Museum, and Library
- Market, including night market
- Artisan food and drink producers, including microbreweries and tap rooms
- Other commercial (miscellaneous).

The licensing authority recognises that a venue may transform how it operates throughout the day and night, particularly in relation to the focus on alcohol and entertainment versus food-led operations. It is important that the proposed operating style of the venue is transparently described and demonstrated to enable licensing controls, including relevant conditions and plans of management to help manage elevated risks, if appropriate. Equally, we recognise the increasing flexible use of venues through the growing business model of multiple offerings, e.g. book stores, record stores and galleries that provide a complementary amenity or service.

Applicants are encouraged to clearly describe and set out what their business will be, for example, copies of menus, indicative layout, concept brochure or document.

While many types of venue will be self-evident, in considering the differences between certain operating styles, the licensing authority will apply the following general principles for the following types of venue:

**Drinking establishment:** where the primary purpose of the business or activity carried out on the premises is the sale or supply of alcohol for consumption on the premises. While entertainment (e.g. live performers, karaoke) is often featured and food is often available at pubs, bars and clubs, in practice, alcohol consumption is typically the primary activity at premises with a bar accessed by customers and/or where there is vertical drinking.

**Food and dining venue:** alcohol service is predominantly ancillary to the primary activity of providing meals and dining facilities, and food is served at all times. Consideration will be given to the availability of (and nature of) non-alcoholic drinks and food available for purchase during the hours that alcohol is sold.

**Entertainment venue:** used primarily for live performances or other creative or cultural events. This includes music halls, concert halls, dance halls and theatres. Entertainment acts are promoted, and one or more persons are engaged to play or perform live in person. The

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audience typically leaves at the end of the performance. A live music performance is an event where one or more persons are engaged to play or perform live or pre-recorded music in person, but not including karaoke. A grassroots music venue will be recognised in line with the [definition](#) used by the [Music Venue Trust](#), as originally contained in the Mayor of London's Music Venue Rescue Plan (October 2015).

**Off-licence:** the degree of alcohol sales will be a relevant consideration, but this category includes supermarkets, mini-markets, convenience stores and similar.

**Hot-food takeaway:** the supply of hot food late at night typically for consumption off the premises, but may also provide dine-in facilities. Consideration will be given to the dynamics between eat-in/takeaway/delivery at the premises.

### Physical make-up of the premises

A thorough evaluation of the physical make-up of the premises helps identify potential risks and allows for the implementation of necessary mitigation measures. Key aspects to consider include:

- The scale: that is, its size, layout and the maximum number of persons the premises can accommodate (including the density of customers, seating vs standing provision, and how accessible it is) can also influence its effects, as patron density and/or the number of people in a licensed premises at any given time can have a significant impact on the atmosphere and safety of the venue. Whether entertainment is to be provided or not, and its nature, may also be relevant in considering the scale of the proposal.
- Layout and design: The layout and design of the premises should facilitate smooth and safe movement of patrons, staff, and emergency personnel. It should also provide adequate space for licensable activities without causing overcrowding or obstruction of exits. It should also consider areas proposed to be used for smoking, queuing, and other external activities.
- Accessibility: The premises should be accessible to all individuals, including those with disabilities. This may involve providing ramps, lifts, or other facilities to ensure compliance with the Equality Act 2010.
- Noise control: The physical make-up of the premises should take into account noise-reduction measures to minimise disturbance to neighbouring properties and prevent public nuisance. This may include soundproofing, appropriate placement of speakers, or limiting outdoor activities.
- Fire safety and emergency exits: The premises should comply with fire safety regulations, including the provision of adequate emergency exits, fire alarms, extinguishers and escape routes. The physical make-up should ensure that these safety features are clearly visible, accessible and unobstructed.
- Security measures: The premises should incorporate security features to prevent crime and disorder, such as CCTV cameras, secure access points, and well-lit areas.
- Sanitation and hygiene: The physical make-up should include adequate facilities for maintaining cleanliness, such as toilets-, appropriate having regard to the nature and size of the venue, the clientele, such as the likely degree of alcohol consumption.

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- Age-restricted areas: If the premises cater for adults and minors, there should be separation of age-restricted areas, ensuring the protection of children from harm.

~~• It will be important to establish how the premises will be occupied, as patron density and/or the number of people in a licensed premises at any given time can have a significant impact on the atmosphere and safety of the venue,~~

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~~including:~~

- ~~• Increased noise levels: As more people occupy a space, the overall noise level can increase.~~
- ~~• Increased risk of accidents, such as tripping or falling, and may also create a fire hazard if exits are blocked or inaccessible.~~
- ~~• Longer wait times: These can lead to frustration among patrons and may also contribute to increased noise levels as people try to communicate over the noise.~~
- ~~• Increased risk of violence: Crowded spaces can increase tensions and create a sense of competition for resources, such as access to the bar or seating areas. This can increase the risk of fights or other violent incidents.~~
- ~~• Difficulty managing crowds: High patron density can make it more difficult for staff to manage crowds and maintain order within the venue. Staff may find it challenging to monitor the behaviour of all patrons and ensure that everyone is following the rules and regulations of the establishment.~~
- ~~• Increased levels of disruption on entry and departure: Large numbers of people attempting to gain entry, waiting and leaving can create crowding in the surrounding area and cause traffic congestion.~~

## The location and suitability of the premises

Relevant considerations will include proximity to residential uses, transport, other venues, the number and density of alcohol outlets currently in the vicinity, cumulative impact, transport problems, sensitive nearby uses or issues (e.g. begging/alcohol abuse), and public space protection orders.

The nature and makeup of the surrounding buildings or activities as well as the physical environment will be an essential consideration, e.g. whether or not the area is wholly residential or commercial/industrial, the availability of space, and what cumulative social impact the addition of a further premises of the type, scale and with the trading hours proposed is likely to have upon the local community/locality. Issues could include transport problems, overcrowding of footpaths, increased pedestrian traffic, littering, noise pollution and the prevailing exposure of the local and broader communities to relevant types of antisocial behaviour and crime, including the proximity of any 'hotspots' for the occurrence of such incidents; and including:

- a. How the proposal aligns with the vision for the city (Section 3)**
- ~~b. Relevant matters stated in any local area policy in Section 6.~~

## The days and hours of operation

The hours of operation should be considered in relation to divergent phases of the night-time economy, as set out in Section 4:

- **Twilight (5–7pm)**
- **Evening economy (6–10pm)**
- **Night-time economy (9pm–1am)**
- **Late-night economy (12 midnight to 4am+).**

Other relevant considerations include how the proposed hours compare with other uses in the vicinity, particularly in relation to the likelihood of nuisance and creating peaks of dispersal, and the availability of other services, e.g. transport.

~~The operating hours of a bar can also influence its effects. Venues that are open late into the night may attract customers who are more likely to become intoxicated or engage in risky behaviour.~~

It is important for licensed premises to carefully consider the potential risks associated with their opening hours and any appropriate steps to manage them effectively, which may include:

- Alcohol-related harm: Longer opening hours can lead to increased alcohol consumption, which can increase the risk of alcohol-related harm, such as impaired judgment, accidents, or violence.
- Noise pollution: Late-night opening hours can result in increased noise levels, which can disturb nearby residents and potentially result in noise complaints. This also includes the risk of transient noise arising from patrons, particularly at departure.
- Increased crime risk: Late-night opening hours can increase the risk of crime, particularly if the venue is in an area with a high crime rate. ~~This can lead to potential safety concerns for patrons and staff alike. Venues that are open late into the night may also attract customers who are more likely to become intoxicated or engage in risky behaviour.~~
- Staff fatigue: Longer opening hours can result in staff working longer shifts, which can increase the risk of fatigue and potentially affect the quality of service provided.

## Operational standards of management

Effective management is essential for the safe, compliant and successful operation of bars and clubs. It helps to ensure that the establishment is providing good-quality customer service, maintaining financial viability, and building a positive reputation within the community.

A primary responsibility of any licensed premises is to ensure the safety of its patrons and staff. Effective management is essential in ensuring that safety protocols and procedures are in place and being followed, and that potential safety risks are identified and addressed promptly. Licensed premises are subject to numerous regulations and laws related to Health and Safety, alcohol service, noise levels, and more. It is essential to ensure that these regulations are understood and complied with.

The reputation of a venue is critical to its success. Ensuring that staff are well trained and knowledgeable, that service is prompt and courteous, and that the venue is clean and well maintained contributes to the likelihood that an establishment is viewed positively by customers, staff and the broader community. It also helps to attract new customers and retain existing ones.

As the licensing authority, we want to ensure that venues will operate to high standards generally.

The licensing authority encourages licensees to adopt the NTIA (Night Time Industries Association) Standards of Good Practice,<sup>6</sup> as appropriate to their business. Existing licensed premises are also strongly encouraged to incorporate these within their operating practices, irrespective of whether they have relevant conditions on their licence.

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When considering the level of management standard, relevant matters may include:

- Whether there is effective engagement with residents, businesses, the local authority and other statutory bodies to address concerns and ensure compliance with any relevant regulatory requirements.
- Any history of incidents and the track record of compliance with legal requirements.
- Understanding of relevant challenges related to the operation of the business, including best practice, research or knowledge of the local area, and ability to show understanding of local community concerns.
- Knowledge of the licensing objectives, relevant parts of this licensing policy, and responsibilities under the Licensing Act 2003.
- Staff compliance with legislation and venue policies, including emergency procedures, how staff are trained in relevant legislation for their employment (including the licence conditions) to promote the growth of skills within hospitality.<sup>7</sup>
- Use of comprehensive risk assessments for activities at the premises and implementing them in practice effectively.
- Any voluntary approach to partnership initiatives and adoption of best practices, including any that may be relevant to the delivering strategic objectives for Manchester (see Section 3), which may demonstrate the qualities of a responsible operator.

Therefore, it may be beneficial for operators to prepare a Plan of Management for their venue, which sets out company policies and procedures underpinning its operation (see Appendix D) and to make this available to the responsible authorities. This will enable them to show how they intend to meet the expectations of this policy, including the points above, without fear of being subject to scores of conditions. Licence applicants may consider providing these in support of any application to demonstrate their standards of management. However, there is no requirement to do so.

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~~However, there is no requirement to do so.~~

<sup>6</sup> <https://www.ntia.co.uk/ntia-standards-of-good-practice/>

<sup>7</sup> <gm-skills-intelligence-pack-hospitality-sept-2021.pdf> ([greatermanchester-ca.gov.uk](http://greatermanchester-ca.gov.uk))

## Plan of Management

The plan should be succinct but outlines how the operations at your venue will be managed. Section 5 sets a range of operational considerations that may cross over into contents of the Plan of Management. Additionally, it could have details of any local engagement, as well as copies of relevant policies, procedures and risk assessments, including:

- Fire risk assessment for the venue
- Smoking policy
- Dispersal policy
- Calculation of the safe occupancy of the venue
- Harm reduction policies, including welfare and vulnerability procedures
- Alcohol Management Plan
- Security plans, including how any 'designing out crime' principles, such as Secured by Design, are implemented to reduce or eliminate risks through the design or redesign of the premises and the immediate surrounding area.
- Emergency plan
- Noise management plan
- Disabled access and facilities statement
- Training procedures.

Where an application's operating schedule references specific plans and policies, e.g. a smoking management plan or a dispersal plan, it may be appropriate to propose conditions linked to them, e.g. prohibiting amendment to them without prior consultation and approval. In such cases, the respective documents should be provided with the application.

While this policy advocates the use of a Plan of Management to demonstrate company policies and practices, this will not be a substitute for appropriate conditions given that a licence can be transferred to a different holder.

## Licence conditions

If a relevant representation is made, the licensing authority will have discretion to take appropriate steps to promote the licensing objectives.

The steps proposed in the operating schedule will be translated into conditions unless the conditions have been modified by the licensing authority following consideration of relevant representations.

Conditions that simply reflect good management practices will not generally be expected to appear on premises licences without very good reason. Instead, the licensing authority will aim to focus conditions to determine the fundamental issue of whether a premises can operate in a particular locality in a manner that prevents the licensing objectives being undermined.

Section 5 sets out a range of steps to be considered in how venues operate to promote the licensing objectives.

## **Impacts on the locality:**

Applications will be expected to be assessed in respect of the likely impacts on the promotion of the licensing objectives locally. Relevant considerations are:

**Noise pollution:** level of disruption to local residents and businesses

**Public disturbances:** rowdy and antisocial behaviour in the vicinity, including public street drinking

**Traffic issues:** congestion from taxis and private hire vehicles, customer vehicles

**Crime:** impact on the risk of crime and disorder issues, including in the vicinity of the premises

**Litter and cleanliness:** litter from takeaway wrappers and discarded containers, presentation of waste for collection, smashed glass.

**Community cohesion:** divisions or conflicts among businesses and residents, protecting vulnerable populations including those in temporary accommodation, taking into account community demographics and levels of deprivation

**Loss of character:** the impact on the wider dynamics of an area, including the risk of a developing monoculture, particularly in respect of alcohol

**Accessibility and inclusivity:** the proposed business's accessibility and inclusivity for all members of the community, including any impact on licensee's duties under the Equalities Act 2006

**Environmental impact\***

**Hygiene and food safety\***

\*insofar as relevant to the promotion on the licensing objectives

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## 5. Steps to promote the licensing objectives

This section sets out a range of considerations, based on different stages and types of operation, that may be relevant when considering appropriate measures to address in operational management plans and policies, as well as proposing appropriate licence conditions ~~for a venue~~.

The headlines and bullet points are provided as a guide of relevant considerations, but all parties should consider and address any matter they consider appropriate for the promotion of the licensing objectives, relevant to the individual merits of an application or venue. Measures are typically scalable, i.e. levels of security or medical equipment will be expected to be higher at venues where there is a higher risk, e.g. higher capacities or higher risk of crime.

All relevant steps will be expected to be addressed by an applicant as appropriate, and where relevant representations have been made, applications will be assessed on the degree to which they are.

**Where the proposed business intends to operate:**

- i. In any area where there are Special Area Policies (Section 6), and/or
- ii. As an alcohol-led venue in the NTE; and/or
- iii. During the late-night economy period (all venues).

The licensing authority would expect all applicants for new licences and non-minor variations to ~~provide any risk assessments or equivalent written summary with their application, setting out~~ be able to demonstrate how relevant risks and likely impacts have been identified and will be addressed through the operating practices of the business. However, there is no requirement to do so. ~~In~~ When preparing such a document considering relevant local risks, we encourage applicants to consult with the local community and key stakeholders.

~~Specific matters the licensing authority will expect to be addressed (as relevant)~~

- ~~Highlight if they intend to hold promoted 'club' events aimed at, or likely to attract, persons under 18. The licensing authority expects robust measures to be in place to address potential risks associated with such an activity.~~
- ~~Include arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself (exhibition of films).~~
- ~~Address whether any performance may include offensive or controversial themes, and how child performers will be safeguarded for any performances involving children.~~

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- ~~The rules that will apply for any combat sport, including details of any sanctioning body, the risk of conflict between rival groups of supporters, and the provisions in place to ensure fighter safety and medical welfare.~~

1. ~~Where entertainment or services of an adult or sexual nature are to be provided, the following need to be specified: the nature of the entertainment, the location of the premises in relation to their proximity to sensitive uses, how the exclusion of under-18s from the premises will be managed, and how the provision of 'relevant entertainment' (if any) is in line with the Council's Policy and Standard Conditions for sex establishments.~~

### **General Operational considerations for all venues (as relevant)**

~~Where relevant representations have been made, we will particularly consider the following:~~

#### **Pre-opening**

~~Ensure customers are provided with key information and the venue is safe to open to the public~~

- ~~Use of tickets, website and social media, and customer contact information to promote key messages.~~
- ~~How the venue is safe and secure to admit members of the public (see Appendix D for suggested checks).~~

#### **Arrival**

~~Ensuring~~ ~~the~~ ~~safe and orderly entry arrangements for the venue.~~ ~~For example~~ ~~Relevant steps may include:~~

- ~~The~~ ~~d~~ ~~Days/times and functions required for~~ SIA-registered door supervisors (see Provision of door supervisors)
- ~~Safe and orderly~~ ~~q~~ ~~Queuing arrangements to prevent obstruction or disturbance, e.g.~~ direction/boundary, use of apps to minimise queuing, use of barriers, staffing arrangements
- ~~Customer~~ ~~s~~ ~~Search requirements, including CCTV coverage of search area, detection devices (to detect weapons and drugs, e.g. knife arch, search wands), and how seized items will be managed~~
- ~~Requirements for~~ ~~R~~ ~~refusing admission (for underage/drunk/disorderly/suspected or known drug dealer), including non-discriminatory practices~~
- ~~Use of NITENET radio system and joint security/street operation with neighbouring premises, including use of DISC (see NITENET) for identifying known offenders~~
- ~~Controlling safe~~ ~~e~~ ~~Capacity control through use of manual clickers or other technology~~
- ~~Restrictions on children's presence and/or measures to prevent them from harm, considering the licensable activities carried out.~~

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## Physical security measures in place

~~Measures in place to~~ Deter and detect criminal activity and ensure the safety of patrons and staff:

- Martyn's Law measures (see below)
- ~~CCTV: coverage, image quality, provision of recordings to enforcement agencies (Note: Where installed, CCTV is expected to be installed in line with the Council's requirements for CCTV)~~
- ~~Required Staffing, e.g.~~ toilet attendants, proactive monitoring by staff/glass collectors
- Lighting
- Use of polycarbonate alternatives to glassware
- ~~Use of NITENET and/or any joint security/street operation with neighbouring premises.~~
- Measures to protect against thefts (e.g. through use of Chelsea hooks, free cloakrooms, messaging, hotspot analysis of incidents, deployment of security in key locations, signage, CCTV coverage).

## Roles and functions of door supervisors

• Security staff provision is assessed by reference to ratio and functions of door supervisors ~~with consideration given to industry standards in terms of ratio of doorstaff:~~

- ~~How they will be distinguishable provide a visible presence e.g. through wearing high-eg-~~ Hi-Viz ~~tabards jackets / vests / -or~~ armbands
- ~~Provision of suitable PPE for door supervisors~~
- ~~Periods they will be employed (days/times) so as to:~~ ensure the start time is appropriate to capture the likely arrival of the majority of customers at peak times, and they remain on duty until the premises have closed and the customers have dispersed from the premises
- ~~Any required ratio of male/female door supervisors. We recommend that at least one male and one female door supervisor is employed where the venue has a policy of searching customers:~~
- ~~Where (any particular locations of the venue)~~
- ~~Requirements for use of bodycams to be used. We would generally expect door supervisors to be equipped with bodycams at venues where there is a higher risk of violent incidents and/or ejections or refusals of entry, particularly if operating during the late night economy~~
- Requirement to ensure door supervisors are briefed on their responsibilities and aware of company policies and procedures (including capacity limits and emergency procedures) before starting duty
- Maintenance of a register ~~of door supervisors~~ to ensure all identities of door staff ~~upervisors~~ can be verified, their SIA (Security Industry Authority) registrations are active, and the correct licence type is used, i.e.. door supervisor
- Security briefings to exchange information and intelligence at the start and end of duty
- Specifying the use of SIA-approved Contractor Scheme companies.

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## Martyn's Law

To promote the adoption of Martyn's Law in licensed premises to ensure licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.

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The licensing authority continues to deliver free [ACT \(Action Counters Terrorism\) Awareness counter terrorism training](#) courses delivered for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions. We strongly encourage licensed premises to incorporate the freely accessible ACT E-learning as part of wider staff training packages.

The licensing authority also expects that:

- Steps ~~are~~ taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:
  - the current terrorist threat level
  - what that level means in relation to the possibility of an attack.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack.
- All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack.
- All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. 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.
- Where hostile reconnaissance is suspected it needs to be properly recorded and reported back to the police. If unnecessary reports are made, the remedy should be to train staff better to recognise suspicious behaviour, rather than criticise them for making the report. Suspicious behaviour should only be ignored when an innocent explanation has been verified. Briefings to security staff need to include details of the suspected hostile reconnaissance – this is so staff know what has happened and know what to look out for.
- The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:
  - Evacuation/Invacuation/Lockdown
  - RUN/HIDE/TELL principles
  - How customers will be safeguarded.
- Applying the 4Cs protocol when dealing with suspicious items.
- Staff are knowledgeable of the HOT principle for identifying suspicious packages.
- Staff understand how to identify suspicious behaviour.
- Staff are knowledgeable of the ETHANE principle for reporting incidents, including suspicious activity.
- First aid kits and any medical equipment are appropriately provided, fully stocked, staff are aware of where they are kept, and staff are first-aid-suitably trained.
- Measures to alert staff and visitors of any immediate threat or incident.
- Rehearsal requirements for emergency procedures (no less than six months).
- Provision of PACT (Public Access Trauma) kits in strategic locations on the premises.

#### Customer behaviour management

- The strategies in place for managing customer behaviour, such as managing intoxication, and their effectiveness in reducing the risk of violence and other security or safety incidents, as well as having a clear policy for dealing with unruly patrons.

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- Steps to ensure effective management at the premises to monitor when it is open for licensable activities.
- The number of staff available to supervise customers both ordinarily and in emergencies

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### Crowd control

Venues should have a clear policy for managing large crowds, such as during concerts or sporting events. This may include implementing a capacity limit, managing entry and exit points, and having staff members trained in crowd control techniques.

### Spiking and vulnerability

- Physical and other measures to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing
- WAVE and active bystander training for staff
- How the venue will encourage an active bystander approach
- Having designated, trained welfare staff
- Mobile phone-charging facilities for customers
- Providing a safe space for welfare or first aid while getting further help
- Arrangements to ensure the safe transport home of vulnerable customers, or requesting medical assistance when needed
- Provision and use of treatment and recuperation rooms.

### Drugs

How drugs misuse will be deterred and responsibly managed at the venue, e.g.

- How illegal drugs (including nitrous oxide) will be prevented from being brought into the premises, what action the venue will take should anyone be caught with drugs on the premises, and how the drugs will be disposed of
- The use of effective risk assessment based on audience and event profile
- The use of toilet attendants or regular documented toilet checks
- Drug swabbing in WCs
- Searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of both illegal drugs and new psychoactive substances
- Physical measures to deter drug use on the premises
- Medical provision and welfare arrangements for dealing with drug use
- Harm-reduction measures in place, such as [MANDRAKE](#), and [The Loop](#)
- Signage and welfare information in the venue.

### Promoting women's safety

- Demonstrable commitmentSteps to deliver on the Manchester's Women's Night Time Safety Charter, seven commitments;
  - Appoint a Champion; appointing a named contact for this work, who will champion and drive forward any action taken

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- Communicate; positive, public/staff-facing communications campaign, both online and in your space(s)
- Support your staff; create routes for reporting unacceptable behaviour while at work and supporting cultural change
- Support the public; create routes for reporting unacceptable behaviour while using your service or space at night
- Training and responding; staff training on the issue, including what to say and do, what not to say and do, and any relevant policies
- Training; recording; staff training on information-sharing and appropriate recording of details
- Designing for safety; audit your spaces and adapt them to promote a safer environment and reduce risk of crime

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- ◆
- Respect messaging (including in WCs)
- NITENET
- How the venue will encourage an active bystander approach
- Operate the Ask for Angela campaign
- WAVE and active bystander training for staff
- Specifying if communal toilets are provided. (Note: The starting point will be to refuse the provision of communal toilet areas in any NTE or late-night economy venue. Any application intending to provide communal facilities will be expected to demonstrate a clear plan for how such facilities will be safeguarded.)

### Supply of alcohol

Alcohol management practices, including any Alcohol Management Plan, regarding:

How the venue will encourage the measures employed to comply with legal requirements and promote responsible alcohol consumption:

- Comprehensive Alcohol Management Plan (Appendix D)
- Server training requirements consistent with policy expectations (Appendix D)
- Promote free availability of water through clear signage at bars
- Provision of smaller measures, i.e., 25ml spirit measures
- Designated driver scheme
- Displaying relevant information and posters throughout the premises that state staff have a duty to prevent the sale of alcohol to customers who are drunk
- Limits on the alcoholic strength by volume inside different beverage categories, e.g. beers, lagers, ciders, wines
- Restrictions on products that encourage rapid down-in-one drinking or large quantities for self-service
- Providing multiple personal licence holders on the premises
- Avoiding promotion or sale of alcoholic drinks that are more likely to appeal to underage drinkers or that encourage excessive consumption
- Use of polycarbonate or plastic glasses either as routine practice or during particular times of high risk
- Avoidance of external promotions of alcohol, including window displays and A-boards.

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- How age restrictions are enforced on the premises, for example through:

- Operation of Challenge 25 policy
- Details of what forms of ID are acceptable
- The use of electronic till prompts
- The maintenance of refusal logs
- Staff training
- Use of mystery shopping.

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- Steps to Preventing proxy sales occurring, for example through:

- Regular checks around and/or outside the premises for underage persons encouraging adults to purchase alcohol for them
- Use of CCTV, particularly in external areas
- Displaying prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved.

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Where there is an issue with street drinking:

- Banning high-strength beer, wine and cider; large bottles of white cider; single cans and bottles
- No end-of-aisle promotions, displays near the door or out of sight of the counter, or anywhere except behind the counter
- Prohibiting sales to known street drinkers or other persons, when notified to the premises by the police or local authority
- Avoidance of external promotions of alcohol, including window displays and A-boards
- Signage promoting any local Public Space Protection and staff reinforcing the 'No Street Drinking' warning at point of sales
- Keeping alcohol products in areas where staff can effectively monitor to guard against the risks of shoplifting, and to deter attempts by underage persons to purchase, e.g. use of spotter screens.

Where alcohol deliveries are carried out:

- Implement age-verification procedures at both the point-of-sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.
- Make clear to customers that receipt of orders that have alcohol must be by an adult.
- Ensure that delivery staff have been given proper training in procedures relating to requesting and identifying proof of age and implement these procedures as standard.
- Include the name of the business and website on any promotional material, e.g. flyers/business cards, and ensure messaging is consistent with the responsible sale of alcohol. Additionally, any website URL or telephone number to be used for orders is expected to be given to the licensing authority.
- Not supply any new psychoactive substances (NPS), such as nitrous oxide.
- Refuse deliveries in situations experiencing alcohol-related nuisance or disorder, and ensure that alcohol is not given to persons who appear drunk. The delivery of alcohol to problematic house parties causing local nuisance and disorder has been a problem in some areas of the city.

### **Emergency Incident planning and response**

~~Ensuring the effectiveness of any emergency~~-response plans and ~~the preparedness of staff are equipped~~ to respond to serious incidents and emergencies such as fire, medical incidents, or violent incidents:

- Staff (including door staff) knowledgeable of emergency procedures, location of emergency exits, evacuation procedures, incident-reporting
- First aid and medical provision for the public – training, staffing, equipment
- Crime-scene preservation training and procedures
- Water safety training and equipment. Where the premises is in close proximity to any waterways, we will expect appropriate water safety measures to be provided in the operating schedule relating to the provision of safety equipment, risk assessments, and training
- Provision of PACT kits and their location(s) at the venue
- Public liability insurance
- Whether there is an up-to-date fire-risk assessment. (We encourage a copy of this being submitted to the fire authority when making any application for a new licence or variation affecting the premises layout.)
- Fire Safety Compliance: Where applicable, the premises must comply with The Regulatory Reform (Fire Safety) Order 2005. When a licence is in force in relation to that premises, there is also a duty to record the significant findings of the fire risk assessment that you must have in place and, where relevant, to record any persons, especially at risk. In particular, the fire risk assessment should consider the following, in the event of a fire:
  - Adequacy of the means of raising the alarm
  - Occupancy number to ensure safe escape
  - Adequacy of the means of escape

(We encourage a copy of this being submitted to the fire authority when making any application for a new licence or variation affecting the premises layout.)

### **Entertainment-specific requirements**

Ensure that public entertainments are provided safely

- Boxing and wrestling: contest rules, medical arrangements, security and stewarding arrangements.
- Special effects: requirement for risk assessments to be provided to Environmental Health at least 14 days in advance.
- Restrictions on the use of bottle sparklers/ice fountains
- if they intend to hold promoted ‘club’ events aimed at, or likely to attract, persons under 18. The licensing authority expects robust safeguarding and security measures to be in place, supported by documented risk assessments to address potential risks associated with such an activity.
- Include arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself (exhibition of films).

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- Address whether any performance may include sensitive or controversial themes, and how child performers will be safeguarded for any performances involving children.
- For any exhibition of wrestling or boxing: details of any sanctioning body, the rules that will apply, risk assessment to include the risk of conflict between rival groups of supporters, and the provisions in place to ensure fighter safety and medical welfare.
- Where entertainment or services of an adult or sexual nature are to be provided, the following need to be specified: the nature of the entertainment, the location of the premises in relation to their proximity to sensitive uses, how the exclusion of under-18s from the premises will be managed, and how the provision of 'relevant entertainment' (if any) is in line with the Council's Policy and Standard Conditions for sex establishments. Kink events and activities – promoters will be expected to work closely with Health Protection Team (Department of Public Health) in relation to licensed premises which may operate regular/pop up sex on premises events as well as licensed SEVs as well as adhere to industry code of practice to ensure appropriate safeguards are in place.

**Other safety arrangements**

- Prior notification to the emergency services of special events.
- Temporary electrical installations.
- Required safety checks (before, during and after regulated entertainment).
- Facilities for disabled people, particularly in an emergency.

**Limiting noise and other nuisances**

Arrangements ensuring Ensure that sound systems and other noise-generating equipment are professionally installed and maintained, and how potential noise nuisances will be controlled:

- Steps taken or proposed to be taken to prevent noise and vibration from escaping from the premises soundproofing, including music noise, and voices vibration (Note: Any new venues must be soundproofed so established residences in the area are not disturbed by the noise)
- Controls or restrictions on amplified sound in external areas
- Monitoring and managing ambient noise from outside areas
- Noise assessments, particularly in relation to outdoor and rooftop terraces and the risk of noise travel, as well as the impact on any increase on the existing soundscape and the risk of nuisance arising.
- Preventing nuisance from the positioning and operating of plant machinery, such as kitchen extract systems, as well as preventing nuisance from odours
- Avoiding light pollution
- Steps to prevent nuisance associated with deliveries, such as the use of electric delivery vehicles.

**Litter**

Arrangements for To ensure the controlling litter and keeping venue and perimeter is kept tidy and free from litter:

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- Providing adequate waste bins
- ~~Having staff to regularly~~ clean the surrounding area as required during operation and at the close of business
- Use of branded wrappers, so far as is reasonably practicable
- No use of avoidable single-use plastics
- ~~Biodegradable and~~ Limited packaging, which should be the most environmentally-friendly option.
- Commercial refuse arrangements, which should not be put out no earlier than 2 hours before scheduled collection time
- Preventing the risk of additional litter (including flyposters, smoking materials or illegal placards) in the vicinity of the premises

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### Control of smoking and external areas

~~How such~~ To ensure these areas will be effectively operated and managed to avoid causing nuisance and obstructions, such as:

- Customer numbers permitted in such areas
- Hours
- Location and how it will be delineated
- Supervision arrangements, including any CCTV coverage, preventing begging, clearing litter
- Restrictions of use of glassware
- Preventing illegal parking and obstruction of emergency and other vehicles.
- Management of such areas in tandem with any (smoke-free) pavement licence,
- Smoking area locations not under residential windows and balconies or in front of residential doorways,

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### Departure

~~How~~ To ensure the orderly exit and dispersal of customers from the premises will be controlled ~~to~~ minimise the potential for crime and disturbance as customers leave the premises, and ensure the safe transportation of staff:

- Willingness to stagger hours with nearby competing venues to avoid patrons competing for limited transport options late at night
- Whether there are safe transport home policies for all workers consistent with the [Get Me Home Safely](#) campaign
- Having a policy in place to prevent drunk driving, such as providing taxi services for patrons who are too intoxicated to drive
- Displaying details of local taxi services, mini-cabs and public transport
- Regular collection of empty glasses and bottles, particularly just after closing
- Displaying notices near the exit:
  - that leaving with glasses and bottles is not allowed
  - requesting customers to leave quietly
- The role of door supervisors (or other staff) in managing persons leaving through:
  - encouraging customers to finish their drinks and make their way to the exit



- o drawing the attention of departing customers to any notices in the foyer asking them to leave quietly, and to be considerate by ensuring that bottles and glasses are taken from customers as they leave
- o actively encouraging customers not to congregate outside the premises
- o directing customers to the nearest taxi ranks, or other transportation away from the area
- o preventing street urination in proximity of the venue.

**Post-operation**

- Cleansing arrangements for the immediate perimeter of the venue (sweeping/wet washing)
- Times of emptying bottles into refuse containers to avoid disturbing local residents and businesses
- How commercial waste is properly presented for collection
- Engagement with local residents and businesses, such as providing dedicated phone lines for reporting issues, and holding periodic meetings to discuss any issues.

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**Engagement with local authorities and neighbours**

We recognise that it is unrealistic to expect that crimes and incidents will not happen in licensed premises, particularly where alcohol is a factor. However, we want to encourage reporting of incidents and raising any issues of local concern by operators, so that we can work in partnership with them to resolve matters. We want to encourage and support responsible businesses to operate better, not put them out of business.

- We also encourage licensed premises to be good neighbours, which can be achieved by engaging effectively (see Appendix D) with neighbouring residents and businesses, providing dedicated phone lines, and committing to periodic meetings.

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**Staff training and procedures**

- Specified training requirements for staff commensurate for their role and responsibilities Ensuring that staff are equipped to carry out their roles effectively.
- The licensing authority encourages licensed premises to adopt the NTIA (Night Time Industries Association) Standards of Good Practice, as appropriate to their business. Existing licensed premises are also strongly encouraged to incorporate these within their operating practices, irrespective of whether they have relevant conditions on their licence.
- Specified frequency for ~~Regularly~~ reviewing and updating policies and procedures to ensure they remain effective and up to date.

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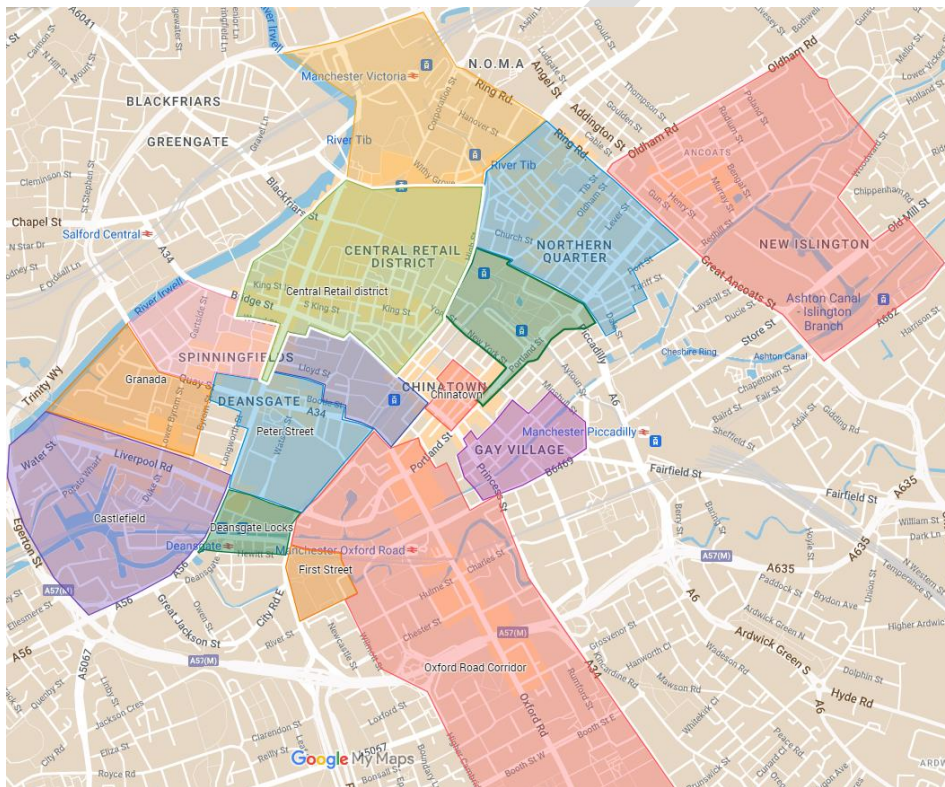
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## 6. Area-based policies

The economic geography of Manchester city centre is rapidly evolving, with major growth and significant development over recent years. Night-time activity happens in a variety of locations across the city and several distinct nightlife areas have emerged.

Most of Manchester city centre's night-time economy takes place across several night-life clusters: Peter Street, Printworks, Deansgate Locks, the Gay Village, Stevenson Square and Northern Quarter, Oxford Road Corridor, Spinningfields, Chinatown, Cutting Room Square (Ancoats), Deansgate (end), and Piccadilly.



Outside the city centre, established night-life clusters exist in several of Manchester's larger district centres, which generate significant employment opportunities and act as destinations, such as Rusholme, Didsbury Village, and Chorlton; several areas support minor night-life clusters, which also play a key role in the wider city dynamics of the city at night, such as Fallowfield, Withington, and Burton Road in West Didsbury.

New areas continue to emerge, including Red Bank, ~~the Back of Ancoats~~ the Poland Street Zone, and St John's (the former Granada site around the new Factory International venue), and this policy aims to take a proactive approach to the development of licensed premises in such areas.

We will continue to monitor the development of areas such as Northenden, as well as other areas with clusters of licensed premises and associated impacts, such as Moston Lane and Levenshulme.

Each area has its own significant sense of local character, alongside a unique set of challenges and opportunities. This policy focuses on these unique characteristics as key resources in the development of a licensed and night-time economy that reflects a diversity of participants and a range of leisure, cultural and lifestyle options. However, not all areas have definitive boundaries, and identities can blur and overlap between neighbouring areas. Therefore, when applying the policy, any local area boundary shown in this document should be considered as indicative only.

We are adopting this policy with the Government's recommendations at paragraph 14.51 of the statutory guidance in mind. This states that the Government acknowledges different licensing approaches may be appropriate for promoting the licensing objectives in different areas, and licensing authorities – in consultation with others – are best placed to make those decisions subject to the overriding principle that opening hours must be not be pre-determined without giving individual consideration to the merits of each application. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.

This section explores these areas in detail and sets out specific considerations for how the licensing authority will approach decision-making in these areas when representations are received to the application. Otherwise, the licensing authority has no discretion to intervene.

Policy AP1: The sections below set out our approach to licensing premises in those areas when we have received relevant representations to a licensing application, notwithstanding that each application will be considered on its merits. Officers will make a recommendation of the type of operation and location of the business, using the information in these sections. However, it will be for the sub-committee to determine if they agree with the recommendation when considering the application before them, and they may decide to depart from the recommendation. Departure from the recommendation should be explained with detailed reasons.

The hours specified relate to the hours of operation (which we refer to as the "terminal hour"), unless otherwise specified.

Where alcohol is sold for consumption on the premises, our policy will be to generally limit the end of any sales of alcohol no earlier than 30 minutes before the terminal hour. Where we have considered representations for licences that do not involve alcohol sales, we reserve the right to set a final hour for licensable activities and for the closing time of the premises (the "terminal hour").

## Exceptional Circumstances

Some Areas are subject to 'Special Policies which propose specific restrictions having regard to the use of the. In some cases, the policy is to refuse the grant of hours. Such policies to refuse are strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.

It is not possible to give a full list of examples of when the council may treat an application as an exception.

As a rule, the Licensing Authority does not consider the following criteria as exceptional:

- premises will be well managed and run
- premises will be constructed to a high standard
- applicant operates similar premises elsewhere without complaint
- similar premises operate in the area

Applicants for premises uses that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted.

Any list of circumstances where exceptions may be granted is not definitive. However, the licensing authority will consider the merits and potential exceptions could include:

- The grant of a licence subject to the surrender of a comparable use within the vicinity of the premises with the same (or later) terminal hours.
- Applications for shadow licences (Section 14)
- Applications to replace licences that have recently lapsed because of a failure to re-instate following the death or insolvency of the premises licence holder.
- Where an applicant will contribute a material impact to reduce pre-existing negative impacts identified for that locality.
- The local community, including residents and businesses, provides overwhelming support for the application, and there is a clear consensus that granting the licence would be in the community's best interest.
- If the establishment has a unique business model or concept that is not adequately covered by existing policies and granting the licence would be consistent with the aims of this policy.
- Licences for time-limited pop-up shops, events and markets
- Where the supply of alcohol is a minor ancillary function to the provision of a service e.g., wine supplied with bouquets at a florist or a glass of fizz at a salon, and appropriate restrictions on the scope of the licence are incorporated

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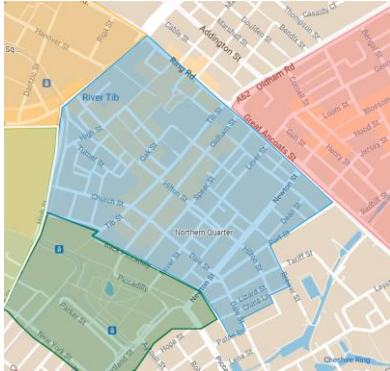
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## Northern Quarter



The Northern Quarter is an unashamedly urban area of the city centre, steeped in history and the hub of independent operators in the city centre. The nightlife scene has played a significant role in the renaissance of the area, having evolved from early pioneers on Oldham Street and Tib Street, and spread across Thomas Street, Edge Street, Stevenson Square and Tariff Street as the area rapidly grew in popularity. Since COVID-19 and as part of wider redevelopment plans, Thomas Street, Edge Street and Stevenson Square have been transformed to enable greater space for alfresco drinking and dining, which has changed the dynamic in those areas.

Given the depth and breadth of the Northern Quarter leisure economy, there are two licensed business networks: West (Oldham Street to Shudehill) and East (Oldham Street to Tariff Street).

Although there is a comprehensive mix of venues, there are concerns about alcohol-related antisocial behaviour and litter, which can act as a deterrent to visitors.

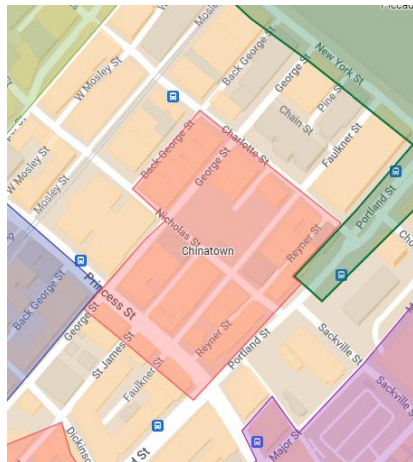
The Northern Quarter is also home to a substantial residential community, and several developments were in place long before the area became a leisure destination. It is important that noise levels associated with the night-time economy are tolerable, and those who live in, work in and use the area should be mindful of the balance between competing considerations.

### Objectives

- Increase the diversity of licensed premises in the Northern Quarter through supporting the growth of premises that are at lower risk of alcohol-related violence due to intoxication, or that strongly contribute to the local live music industry or arts, tourism or community cultural sectors
- Enhance the historical cultural identity of the area
- Promote the development of the evening economy, including alfresco dining
- Balance the competing needs of businesses and residents
- Limit noise nuisance, particularly from transient patrons
- Improve waste management associated with the night-time economy
- Reduce litter, antisocial behaviour and drunkenness.

## Chinatown

Manchester's Chinatown is distinctively Mancunian and representative of the Chinese community within the city. The residential and business neighbourhood emerged in the 1970s and retains a keen sense of tradition and community spirit, while offering a unique visitor experience. Chinatown is characteristically and functionally different to any other part of the city centre and of great strategic importance to the city.



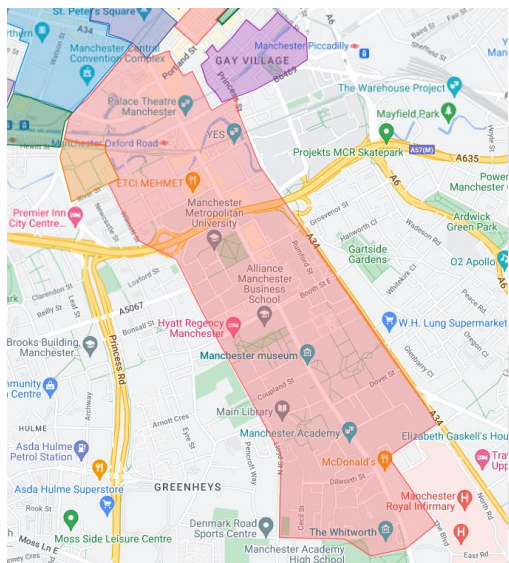
Populated with a variety of licensed restaurants, karaoke bars and several late night casinos, as well as home to many stores and mini-markets. The choice of restaurants, as well as the authenticity and vibrancy of the area are major attractions of China Town. However, the area has attracted issues with vagrancy, leading to issues with drugs, litter and antisocial behaviour; negatively impact upon feelings of safety. Cleansing the area is problematic due to the narrow streets and the reliance on storing waste externally. The area is in a period of transition and our aim is to support the successful revitalisation of the area as a key social and cultural hub.

### Objectives

- To develop a hub of culture and a destination with Manchester
- To design out some of the issues currently faced
- Developing closer partnership links and support successful business development
- Reducing antisocial behaviour and vagrancy
- Improve waste management and cleanliness of the surrounding area
- Increase engagement between local communities, stakeholders, societies and associations
- Improve public surveillance and lighting to limit the opportunities for crime, thus increasing the perception that people can be seen.

## Oxford Road (Southern Gateway)

The [Oxford Road Corridor](#)<sup>8</sup> bridges The University of Manchester Campus with the city centre. It is home to renowned independent and commercial music and theatre venues, and provides a pipeline for new and emerging artists. This combination of world-class cultural institutions, grassroots and commercial cultural organisations has created a dynamic destination and social mix.



The area has a thriving food and drink scene with some of the city's most iconic pubs alongside modern developments such as Hatch. There are also many hot-food takeaways, which due to their location have created issues of illegal parking and consequent obstruction of the highway. The area has undergone significant transformation in recent years, including several large new residential developments, such as Macintosh Village and several purpose-built student accommodations, increasing residential population in this area, particularly the student population, alongside long-term residents.

Culture plays a key role in building on the area's predominantly student and youth market, reflecting the expectations of the workforce and the city's many visitors. It has a key role to play in Manchester's cultural economy and the wider visitor economy with the densest, most diverse and distinctive collection of cultural facilities outside London. Its range of cultural, leisure and sporting facilities includes several internationally respected arts organisations, museums and galleries. The Oxford Road Corridor boasts the Whitworth, HOME, Royal Northern College of Music (RNCM) and Central Library.

The key aim is to promote the cultural offer of the area, particularly through a strong evening economy.

### Objectives

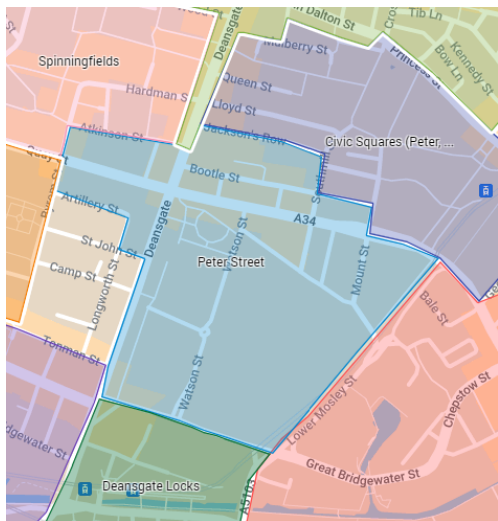
- Support the development of world-class arts and cultural organisations and activities that enhance the reputation of the corridor and the city
- Place cultural venues, performances and activities at the centre of a broader leisure, sport, entertainment and lifestyle offer, optimising the spaces between cultural assets and connecting the public realm

<sup>8</sup> [Oxford Road Corridor | Manchester's Innovation District](#)

- Use cultural assets, activities and audiences to support small and medium-sized retail, food and drink, and entertainment businesses, as well as creative, artistic, heritage and performance industries
- Balance the night-time economy with increases in residential development.

### Peter Street and Great Northern Area

Extending around the Peter Street/Deansgate/Quay Street crossroads, this locality provides a rich mix of high-profile food, drink and entertainment offers, including some of the city's most-renowned live music and theatre venues and hotels. The Great Northern Tower, home to 257 residential apartments, also overlooks the area.



This area has enjoyed a renaissance in the last decade as one of the city centre's primary night-time economy destination areas. However, the popularity of the area, particularly at weekends, means there are often issues arising from high numbers of patrons and the limited space on the footpath. High volumes of traffic, particularly from private hire vehicles – many licensed outside of Greater Manchester – compound the issue.

The area benefits from a marshalled taxi rank and a dedicated welfare space currently situated at the Great Northern complex. However, the development of the late-night economy has resulted in increased victims of crime, particularly in relation to violence and thefts. There has also been a rising number of public-order offences that is 3-times the

level of the rest of the city centre during the peak hours of 11pm to 4am, increasing the demands on policing and other public services.

A key priority is to avoid these problems worsening and aim to achieve reductions in levels of public intoxication and crime. [The impact on noise, including transient noise from crowds outside of licensed venues, will also be an important issue, given the proximity of the Great Northern Tower and nearby hotels, as well as how the granting of any further licences impacts on existing issues of congestion, both on the footways as well as from traffic.](#)

Notable clusters: Peter Street (from Mount Street) extending to Quay Street (junction with Byrom Street) and including the crossroads area with Deansgate.

#### Objectives

- Develop the attractiveness of the area for a wider audience, reducing perceptions of alcohol-related problems



- Improve management of public highway during peak periods, particularly at weekends, including promotion of staggered closing to avoid creating crowds on dispersal
- Increase diversity in the NTE and late-night economy periods, particularly of premises where the experience goes beyond alcohol
- Improved surveillance of the public realm by ~~taking steps to increase the perception that people can be seen~~ promoting effective door supervision, management of external spaces used by licensed premises, and co-operation between venues
- Initiatives to reduce vulnerability and improve women's safety
- Reductions to levels of public intoxication, as well as victim-based crime, including violence and thefts.

### Special Policy

This policy shall have effect for applications for premises included in the defined Peter Street area as per the map shown.

Given the increased risks of alcohol-related crime and disorder in this area, ~~where relevant representations have been made, our strict starting point in this area~~ the approach to venues where alcohol consumption is a primary activity shall be:

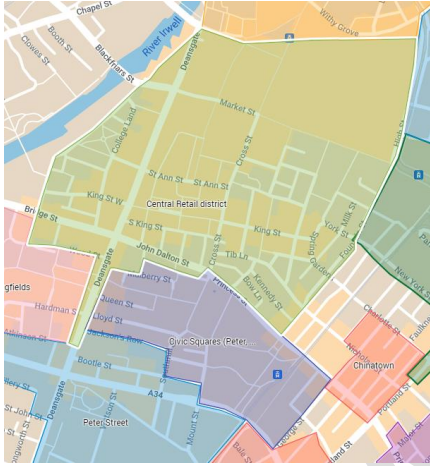
#### **Pubs, clubs and bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, having regard to standard of operational management plan(s) as set out in Section 5
- **NTE:** Considered on its merits having regard to the local area objectives, provided the applicant demonstrates compliance with the management standards set out in Section 5
- **Late-night economy:** The licensing authority will expect applicants to demonstrate that granting the licence would not exacerbate existing issues, and exceptional operational standards of management would be in place. Consideration will be given to any overwhelming local public support and clear demonstration of local risk assessment for proposed activities involving local stakeholder engagement.

In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The size or extent of the application or variation will not be treated as exceptional.

## Central Retail District and Civic Squares

This area spans the heart of the city centre, encompassing key areas such as the Corn Exchange, Printworks, and Deansgate. This wide-ranging area incorporates late-night economy venues, particularly around the Printworks and Deansgate. There are prominent dining destinations at the Corn Exchange and King Street, including alfresco dining areas that host seasonal markets and events.



This area provides a considerable mix of spaces and it will be important to ensure that the calmer nature of alfresco dining in key parts is maintained in order to retain diversity of offer.

There have been historical challenges around Withy Grove and Printworks, particularly in respect of the influence of alcohol. In addition to problems with violence and drunkenness, there have been traffic issues caused by private hire and cruising cars creating blockages along Withy Grove, which benefits from a marshalled taxi rank at weekends.

Bridge Street has increased in popularity in recent times with several new licensed premises attracting increased numbers to this area, combined with its proximity to Deansgate and Spinningfields. Careful consideration will need to be given to the capacity to effectively manage of the public highway, in relation to footfall and traffic congestion, as well as illegal parking and any demonstrable increases in issues such as crime, antisocial behaviour, litter and transient noise.

Notable clusters: King Street, Exchange Square, Printworks and Withy Grove, Deansgate, Bridge Street.

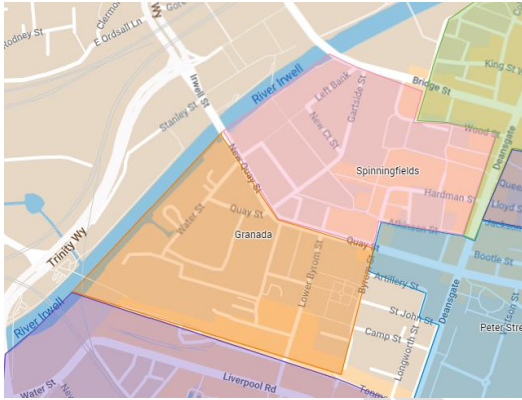
### Objectives

- Support the successful redevelopment of the Our Town Hall Project and the use of the civic squares and other public spaces to support events that will promote the visitor and cultural economy
- Encourage alfresco dining
- Develop the attractiveness of the area for a wider audience, reducing perceptions of alcohol-related problems
- Promote diversity across food and drink, retail and entertainment, as well as creative, artistic, heritage and performance industries.

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## Spinningfields and ~~Granada~~ (now St John's)

Spinningfields is a thriving commercial district with a range of popular bars, restaurants, shops, cafes, co-working spaces and office developments. The area has its own estate management company, including public security.



St John's (the former Granada site) is undergoing vast redevelopment and ~~will be~~ home to the city's iconic new ~~Factory International, an art and cultural events space, Aviva Studios, which will be~~ home to Manchester International Festival, ~~as well as numerous new office and residential blocks, and a variety of hospitality venues. We encourage close communication both at the pre-application stage and on an ongoing basis, with~~

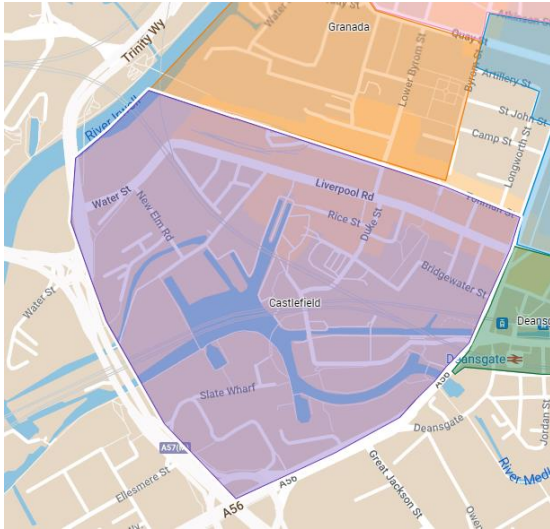
~~nearby residents to promote the successful development of a harmonious new neighbourhood for people to live, work and visit.-~~

### Objectives

- Support the development of ~~Factory International~~Aviva Studios in its infancy
- Promote balanced development having regard to pre-established and new residential developments.

## Castlefield

Castlefield, located at the south-west end of Deansgate, is the industrial and Roman heart of Manchester. It is home to a Roman fort, networks of canals, old mills, bars and restaurants, as well as a wide range of accommodation. There are pockets of licensed premises, which act as destinations, particularly along Liverpool Road and around the waterfront. Large-scale events are also held in Castlefield Bowl.



Many licensed premises along Liverpool Road sit underneath residential properties, and there have been concerns raised around behaviour, noise, and inconsiderate vehicular use along Liverpool Road; it is important that adjacent venues manage and endeavour to avoid such issues. Ensuring appropriate water safety provisions are in place will be an important consideration from venues next to and near waterways.

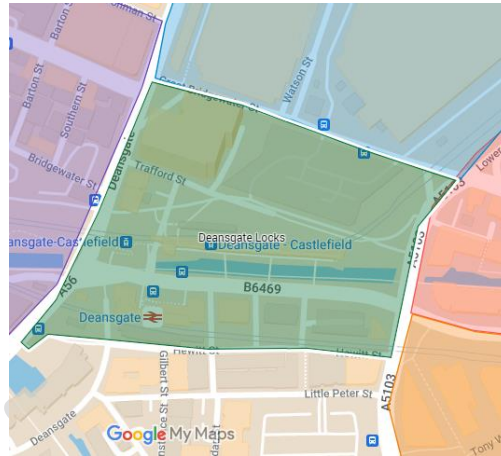
Notable cluster: Liverpool Road.

### Objectives

- Manage balance of residential and commercial properties along Liverpool Road
- Promote water safety initiatives through all venues having appropriate safety equipment, risk assessments and training
- Avoid antisocial behaviour issues associated with customers of licensed premises, including noise and illegal parking.

## Deansgate Locks

While limited in scope, at night Deansgate Locks is has historically been a busy destination area due to several large, high-volume bars and clubs housed under the arches. The area is busy mainly during the NTE and late-night economy periods and is supported with a marshalled taxi rank. The high volume and alcohol-led nature of many of the venues, which predominantly appeal and cater to a young adult audience, has been associated with increased issues of drunkenness and vulnerability. However, recently, several of the venues have closed and others been more limited in their operation.



Water safety is also an important consideration here given the direct proximity to the canal.

### Objectives

- Develop the twilight and evening economies
- Reduce alcohol-related vulnerability and promote women's safety
- Promote water-safety initiatives through all venues having appropriate safety equipment, risk assessments and training
- Improve traffic management of public highway during peak periods, particularly at weekends
- Reduce levels of public intoxication, as well as victim-based crime, including violence and thefts.

### Special Policy

Given the increased risks of alcohol-related crime and disorder in this area, where relevant representations have been made, our strict starting point in this area the approach to venues where alcohol consumption is a primary activity shall be:

#### Pubs, clubs and bars, including other primarily drinking establishments

- **Twilight, evening economy:** Presumption in favour, having regard to standard of operational management plan(s) as set out in Section 5
- **NTE:** Considered on its merits having regard to the local area objectives, provided the applicant demonstrates compliance with the management standards set out in Section 5
- **Late-night economy:** The licensing authority will expect applicants to demonstrate that granting the licence would not exacerbate existing issues give rise to a repeat of previous crime and disorder issues, and whilst ensuring staggered closing times (to improve dispersal) and exceptional operational standards of management would be in place. Consideration will be given to any overwhelming local public support, and clear

demonstration of local risk assessment for proposed activities involving local stakeholder engagement.

In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The size or extent of the application or variation will not be treated as exceptional.

## Village

Manchester has the United Kingdom's largest LGBT community outside London and is renowned for its Gay Village centred around Canal Street. It is an area recognised as one of the UK's liveliest LGBTQ+ hubs, providing a safe space for the city's LGBTQ+ community, including to socialise, with numerous bars, clubs, and restaurants.



Centred around Canal Street, the iconic Village area arguably provided the renaissance of independent scene bars back in the 90s, and the night-time economy has flourished ever since. Licensed premises operate through the day, particularly in the well-established alfresco areas along Canal Street, but the wider Village operates

well into the night with numerous bars, nightclubs, takeaways and restaurants. It is also home to the city's annual Pride festival, as well as other annual events.

The scale of the late-night economy has meant that this area experiences the highest levels of alcohol-related violence during later hours, and levels of victim-based crimes such as thefts create a demand for policing resources. The lateness of venues means the area can attract revellers who want to end their night here. There have also been several incidents of people requiring rescue from the canal under the influence of alcohol.

The area is supported by the voluntary [Village Angels](#), the flagship project of the LGBT Foundation's community-safety programme. Volunteers are on duty every Friday and Saturday from 9pm to 3am wearing distinctive hot pink uniforms. The Village also has a long-established trade body for licensees, the VLBA (Village Licensed Business Association), providing a forum for engagement and partnership.

Water safety will be an important consideration for venues next to and near water.

The Village is also a popular area to live and stay, with a long-established residential community, hotels, and the new Kampus neighbourhood development.

### Objectives

- Enhance the area as a safe place for the LGBTQ+ community
- Develop the twilight and evening economies
- Increase diversity in the NTE and late-night economy periods, particularly of premises where the experience goes beyond alcohol
- Reduce alcohol-related vulnerability
- Promote water-safety initiatives through all venues having water-safety trained staff and access to emergency equipment
- Reduce levels of public intoxication, as well as victim-based crime, including violence and thefts.

### Special Policy

This policy shall have effect for applications for premises included in the defined Village area as per the map shown.

The primary aim is to develop lower-risk venues, particularly through the evening economy, and reduce the levels of alcohol-related problems in the Village.

Night-time uses will be considered carefully, particularly in relation to how the venue will operate and the likely degree of alcohol provision. Given the scale of the existing late-night issues, applications will ~~need~~be expected to demonstrate that they will not harm licensing objectives.

Therefore, where relevant representations have been made, our strict starting point in this area will be the following approach:

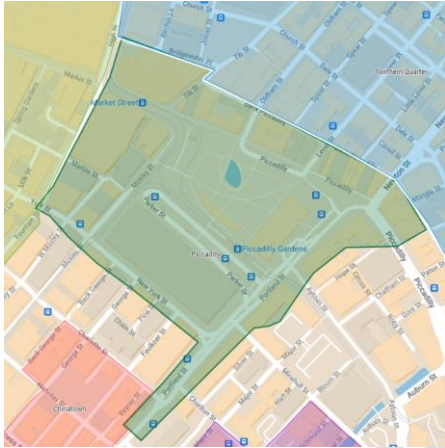
#### **Pubs, clubs and bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, having regard to standard of operational management plan(s) as set out in Section 5
- **NTE:** Considered on its merits having regard to the local area objectives, provided the applicant demonstrates compliance with the management standards set out in Section 5
- **Late-night economy:** The licensing authority will expect applicants to demonstrate that the grant of the licence would not exacerbate existing issues, and that exceptional operational standards of management would be in place. Consideration will be given to any overwhelming local public support and clear demonstration of local risk assessment for proposed activities involving local stakeholder engagement.

In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The size or extent of the application or variation will not be treated as exceptional.

## Piccadilly

Piccadilly is on the verge of a new regeneration programme aimed at creating a modern area that includes a friendly, lively and welcoming public space designed to balance the divergent functions



it serves. A new Operation Vulcan initiative between GMP and MCC aims to address long-standing issues with crime including drug dealing, vulnerability antisocial behaviour e.g. street drinking.

~~Primary goals are reducing crime and other antisocial behaviour primarily by bringing in more business, footfall, and improved design.~~

The area provides a major transport hub and serves as the gateway into the city centre from Piccadilly train station. Despite the high profile of the area, there are limited entertainment and social opportunities. Piccadilly Gardens provides a central events space in the city centre and hosts

a food market for part of the week. It also provides a central open space for people to dwell, and the fountain appeals to many.

## Objectives

- Promote strong security standards and partnership working
- Reduce antisocial behaviour and litter
- Improve surveillance and staffing of the public realm to limit the opportunities for crime, and improve public safety by taking steps to increase the perception that people can be seen
- Improve the appearance and quality of the street scene, including cleanliness
- Improve the perception of safety and security
- Prevent unauthorised public consumption of alcohol
- Support changes to the redevelopment of the public realm and perception of the area.

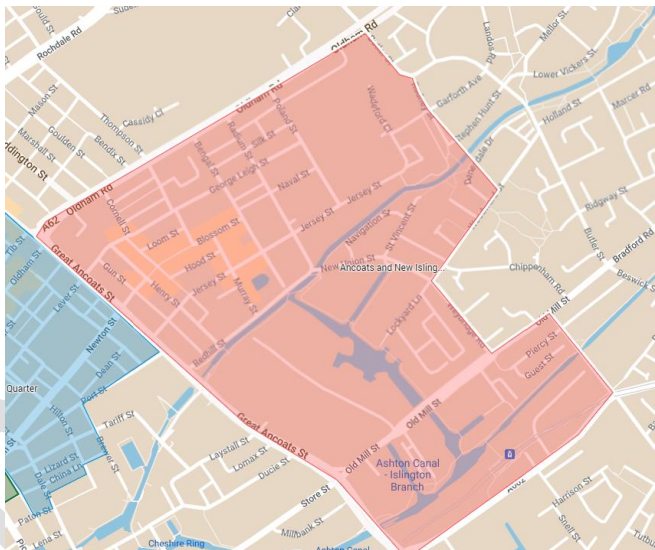


## Ancoats and New Islington

As part of the area's restoration, Ancoats and New Islington has been subject to controlled opening hours to help create an attractive community for businesses and residents alike, resulting in a vibrant daytime and evening economy. This approach has proved to be successful: Ancoats' growth and popularity have gone from strength to strength, with limited negative impact arising from the rapid growth of new venues.

This model is supported by residents, and the increasing redevelopment of the area continues apace, with the updated [Back of Ancoats Poland Street Zone](#) regeneration strategy bridging the city centre with the Etihad Campus.

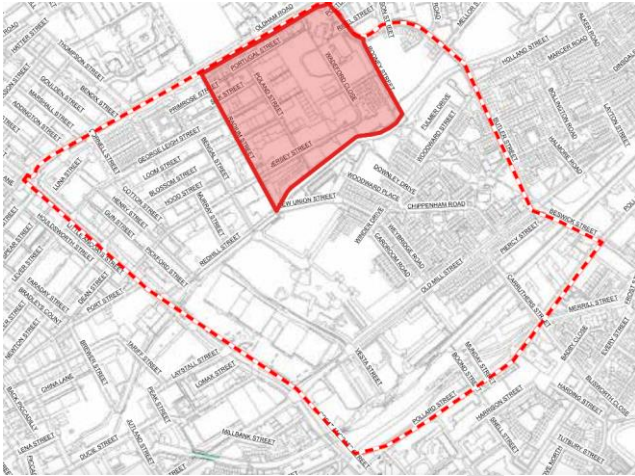
The area is studded with highlights. Cutting Room Square is a natural focal point and the creation of outdoor seating on Blossom Street adds to its profile. The area is also home to Manchester's only Michelin star, New Islington Marina, and the Hallé St Peter's.



The heightened profile and appeal of the area draws large numbers into the area, some occasionally acting antisocially, particularly around Cutting Room Square, and it is important this is carefully managed.

The vision is to create an attractive community for businesses and residents alike, and a vibrant daytime and evening economy. Given the high density of residential development in the area, the focus is the promotion of the evening economy. Any night-time economy use must be complementary and not detract from creating a liveable environment.

[The Poland Street Zone represents the next phases of development for the Framework area and covers the area bounded by Oldham Road, Radium Street, the Rochdale Canal, and Butler Street/Rodney Street and is included in the refreshed Ancoats and New Islington Neighbourhood Development Framework.](#)



Notable cluster: Cutting Room Square.

### Objectives

- Maintain the balanced development of the area, while avoiding concentrations of alcohol-led venues
- Ensure waste-management bins are properly presented for collection
- Promote twilight transition into the evening economy and promote dining and cultural uses
- Deter antisocial street drinking in public places.

### Special Policy

Our aim is to continue with the approach that has proved to be successful in the strategic development of the area.

Twilight and evening economy uses are encouraged. We aim to support continued diversity in the range of premises in Ancoats and New Islington, particularly the renowned dining scene. However, consideration will be given to avoiding concentrations of alcohol-led venues to avoid the increased risk of noise that can arise from numbers of people in high spirits, and alcohol-related antisocial behaviour.

Therefore, where relevant representations have been made, our strict starting point in this areas will be the following approach:

### Ancoats and New Islington Framework area (excluding Poland Street Zone)

**Pubs, clubs and bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, subject to compliance with steps and unless outweighed by demonstrable concerns raised in relevant representations that granting the licence would undermine the licensing objectives
- **NTE:** licensable activities will generally be permitted –post- until 11pm (Sunday to Thursday) and midnight (Friday and Saturday) ~~and~~
- **Late-night economy:** Policy is to refuse except in exceptional circumstances.

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#### Alcohol off-licences: consumption off the premises, including delivery services

- **Twilight, evening economy:** ~~Applications will be considered on their merits, particularly where alcohol represents a small percentage of the overall products on sale, and there will be limitations on promotional activities.~~ will generally be permitted
- **NTE:** ~~–post-11pm (Sunday to Thursday) and midnight (Friday and Saturday),~~ licensable activities will generally be permitted until 11pm (Sunday to Thursday) and midnight (Friday and Saturday)
- **Late-night economy:** Policy is to refuse except in exceptional circumstances.

#### Hot-food takeaways and delivery services, including dark kitchens

- **Twilight and evening economy:** N/A.
- **NTE:** licensable activities post-11pm (Sunday to Thursday) and midnight (Friday and Saturday) ~~and~~ **Late night economy:** Policy is to refuse except in exceptional circumstances.

#### Other venues:

- **Twilight, evening economy:** Strongly encouraged.
- **NTE:** licensable activities post-11pm (Sunday to Thursday) and midnight (Friday and Saturday) ~~and~~ **Late-night economy:** Policy is to refuse except in exceptional circumstances.

#### Poland Street Zone

- **Twilight, evening economy:** Strongly encouraged.
- **NTE:** licensable activities post-10pm and Late-night Economy: Policy is to refuse except in exceptional circumstances.

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In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.

### Back of Ancoats

~~The Back of Ancoats covers the area bounded by Oldham Road, Bengal Street, the Rochdale Canal, and Butler Street/Rodney Street and is included in the refreshed Ancoats and New Islington Neighbourhood Development Framework.~~

#### Reasons for more restrictive approach for the Poland Street Zone:

The aim is for the creation of a mixed living and working neighbourhood, with the intention for this area to be less commercial than the 'front of Ancoats', e.g. Cutting Room Square. ~~Given the density of residential and the proximity to commercial uses, a more restrictive approach is justified to prevent the risk of disturbance and nuisance during later hours. However, consideration will be given to the encouragement of retail and employment generating ground floor uses as the Poland Street Zone is developed out.~~

Therefore, it is intended that the commercial uses in this area will be aimed at Twilight (5pm-7pm) and Evening (6pm-10pm) economies.

~~An exceptional case would need to be demonstrated for NTE uses beyond those hours and Late Night Economy uses, or otherwise the policy is to refuse such applications to prevent the risk of nuisance having regard to the nature of the area.~~

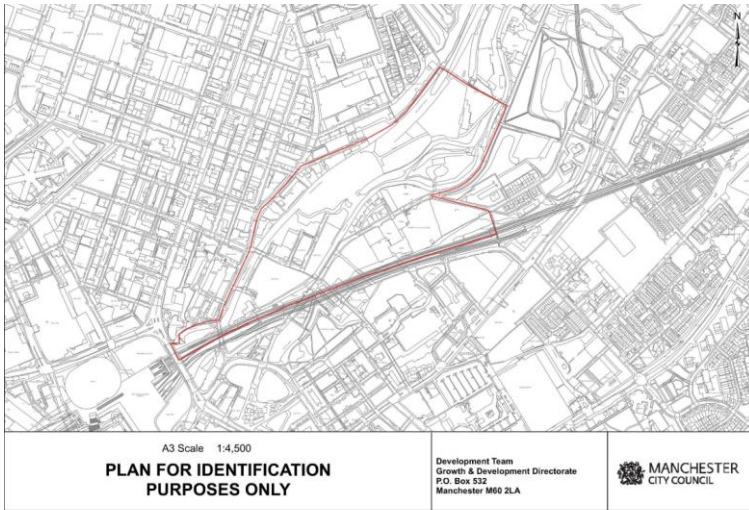
~~The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.~~

### Red Bank

[Red Bank](#) is an emerging new neighbourhood adjacent to the existing residential communities of the Green Quarter and Angel Meadow, located at the northern edge of the city centre. More than 4,000 new homes are planned to be delivered in this location over the next decade. The commercial uses within the neighbourhood should be consistent with what will be a predominantly residential environment, highlighting the proximity to the natural landscape provided by the River Irk and adjacent green spaces, including St Catherine's Wood. ~~The Red Bank neighbourhood is characterised by three distinct areas as set out below.~~

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**Objectives**

- Promote uses along Dantzic Street to create a vibrant local high street to serve the community
- Retail and food and beverage uses will promote Red Bank as a desirable neighbourhood to live in, providing active streetscapes and

animated public spaces.

- Incorporate uses that support both the daytime and evening economy
- Develop a destination and sense of identity as a new city centre quarter
- Night time uses to be allowed where appropriate and not detrimental to residential amenity

Any night time economy uses must be complementary to creating a thriving residential neighbourhood. Night time uses will therefore need to be justified and demonstrate minimum impact on 'residential amenity', that way it's clear that this is a residential focused part of the city and any commercial uses should be complimentary to that

Where relevant representations have been made, our strict starting point in these areas will be a An exceptional case would need to be demonstrated for NTE and late-night economy uses; otherwise, the policy is to refuse such applications to prevent the risk of nuisance having regard to the residential-led nature of the area.

In all cases representations are received, the authority weill consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.

**Dantzic Street**

New apartment led housing developments will transform Dantzic Street into a vibrant local high street. The commercial offer in this location should satisfy resident demand but also bring vibrancy to the area so that Dantzic Street feels like the hub of the neighbourhood and a part of the extended city centre. Retail and food and beverage uses will promote Red Bank as a desirable

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neighbourhood to live in, providing active streetscapes and animated public spaces. Given the accessible location, Dantzic Street may be suitable for other complementary uses, such as doctors' surgeries, wider health uses or childcare. Incorporating uses that support both the daytime and evening economy will help integrate the neighbourhood with the surrounding areas, including the city centre, and encourage dwell time in the neighbourhood and enjoyment of the river and green/public spaces.

Commercial use in the Dantzic Street area will be aimed at the evening (6–10pm) and the night-time economy (9pm–1am).

### **Red Bank Viaduct**

Red Bank Viaduct takes its character from the industrial heritage of the now disused railway viaduct and the nearby Cheetham Hill. A mix of customer-facing businesses in the railway arches will support an active streetscape, and food and beverage uses will be supported to frame public spaces. Retail and commercial units fronting onto the River Irk and new public spaces will comprise food and beverage, cultural and other leisure uses to activate the public square and draw visitors into this area for fitness, childcare or retail uses.

The commercial uses in Red Bank Viaduct will be aimed at the evening (6–10pm) and the night-time economy (9pm–1am).

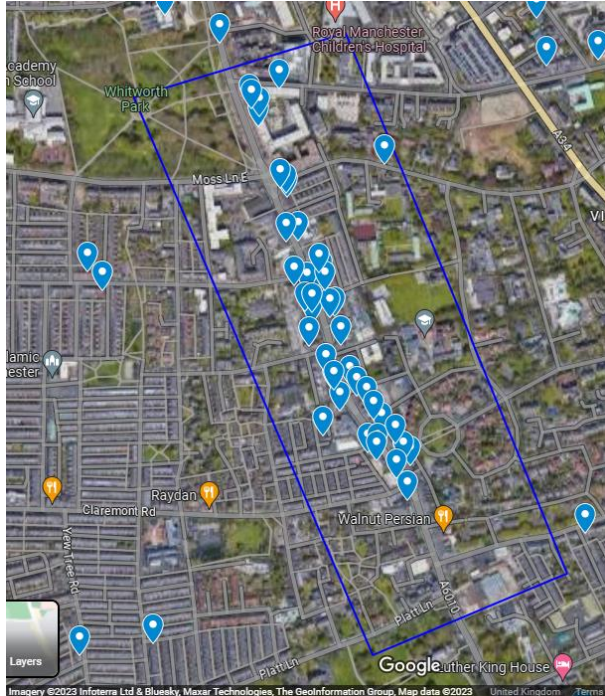
### **Red Bank Plateau**

The Red Bank Plateau is an area set back from and elevated above the River Irk. This area will differ in character from the Dantzic Street and Red Bank Viaduct areas, with a more family-focused residential environment. Ground-floor spaces will predominantly be for residential use. Footfall is anticipated to be lower than at Dantzic Street and Red Bank Viaduct, and commercial uses in this area will have a focus on providing essential amenities for residents. Commercial uses would be supported where there are key public open spaces, helping to provide daytime activation and providing a useful neighbourhood function. Uses with a focus on retail, co-working and health would be supported in this area.

The commercial uses on the Plateau will be aimed at the twilight (5–7pm) and evening (6–10pm) economies.

## Rusholme (Wilmslow Road)

Rusholme has some of the most distinctive characteristics of any place in Manchester; it is home to the traditional Curry Mile, on one of the main arterial routes in the city, [along Wilmslow Road](#).



Especially notable is the strong influence of Asian and Middle Eastern trade and its bustling and brightly lit late-night economy. It is a centre that attracts visitors from a wide catchment area beyond Manchester and is a valuable part of the city's identity.

However, the past decade has seen a displacement of the restaurant scene and a proliferation of shisha venues, several of which have been associated with antisocial behaviour and breaches of the Health Act 2006, which prohibits smoking indoors and substantially enclosed premises. While some hold licences to provide late-night refreshment and regulated entertainment, shisha smoking is not a licensable activity.

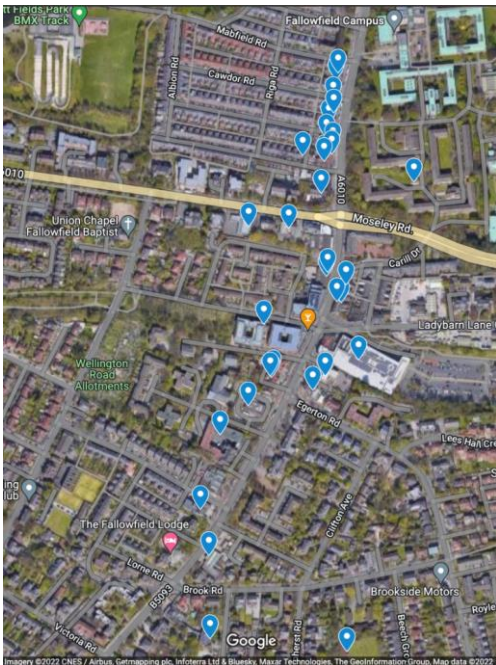
## Objectives

- Enhance the historical cultural identity of the area
- Significantly improve the visual appearance of the street scene, particularly in relation to litter and antisocial behaviour
- Promote high standards of management
- Where appropriate, demonstrate compliance with the Health Act 2006.

## Fallowfield

Fallowfield has a diverse population of long-term residents living alongside a large transient population, particularly second-year and above living in privately-rented shared housing, as well as large university campuses of Owens Park and Oak House.

Fallowfield is the traditional home of university students, with prominent halls of residence and large numbers of student flats and shared houses. However, it is also home to a significant non-student population, and any perception that Fallowfield is solely a student area should be avoided.



Although the number of bars has steadily declined over recent years, problems with antisocial behaviour persist, including public intoxication, vandalism, drug dealers and other opportunistic criminals being attracted to the area and there are frequent domestic disturbances, particularly in residential streets, with house parties an ongoing issue.

Given the predominance of younger people in the leisure economy, issues of women's safety, vulnerability, and harm reduction are primary considerations and the licensing authority would expect to see detailed proposals in operating schedules, insofar as they are relevant to the proposal, as well as existing licensees ensuring that their current operating policies and procedures are up to spec.

The apparent domination of the student-focused leisure market is a frustration for other residents in the local area, and there is a desire to see a more inclusive local economy. Whilst increasing numbers of students are choosing to live in the city centre, there are plans to increase campus capacities.

The area has a high number of late-night food takeaways. Litter from takeaway food wrappers and street drinking, including 'pre-loading', are local problems.

Notable cluster: Wilmslow Road (from junction with Mabfield Road to junction with Derby Road).

### Objectives

- Widen the appeal of the district centre
- Attract enterprising bars and cafés that recapture spend and increase footfall in Fallowfield

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- Create destination places and spaces for people to meet and dwell
- Significantly improve the visual appearance of the centre
- Reduce problems of alcohol-related antisocial behaviour
- Reduce issues of litter from hot-food takeaways and street drinking
- Improve the quality and diversity of the area and deliver temporary events, markets and pop-ups where appropriate
- Support an attractive evening economy and extended activity hours that do not have an adverse impact on residents
- Promote safety and vulnerability initiatives.

### Special Policy

We aim to promote the development of the evening economy in Fallowfield, particularly through 'low impact' diverse venues, attractive to broader demographics rather than just the student community. This approach has proved to be successful in other areas of the city, notably Ancoats. Having regard to the ambitions of neighbouring Withington, and the synergies between the localities, it is logical to take a complementary and consistent approach in Fallowfield.

The licensing authority is satisfied that there are issues of litter locally arising from the operation of hot food takeaways, demonstrated through ongoing complaints and responses to the policy consultation. A restricted approach for off-licences is justified to reduce the availability of alcohol being drunk on the streets including "pre-loading" and as a supply source for local house parties, which have given rise to issues of antisocial behaviour and public nuisance to neighbours. The issues and risk of house parties reinforces the benefit of ensuring social options for the local student population, within regulated environments the licensing process can provide. We also aim to limit the availability of stronger-strength alcohol to street drinkers leading to anti-social behaviour in the immediate vicinity of the premises.

The licensing authority is satisfied, on receipt of representation received to the policy consultation and based on the crime data that there are issues arising in the area required to be addressed in relation to victim-based crime, anti-social behaviour and nuisance caused by people visiting licensed premises in this area, and the level of these issues undermine the crime prevention, public safety and prevention of nuisance objectives.

The policy aims to avoid the ~~se~~ worsening of antisocial behaviour and problems with litter in the area, as well as ~~and avoid the~~ previous ~~scale~~ of experiences of alcohol-related issues in the late-night economy period resulting from late-night bars, ~~and the area becoming at a "honey pot" destination for nightlife. Instead,~~ the licensing authority aims to improve the wider sociability of the locality and to actively encourage businesses with appeal to broader demographics rather than just the student community, which delivers on the wider strategic aim set out in Section 3 to promote growth and ensure that licensed venue density reflects an appropriate mix of venue types, including non-alcohol-related entertainment options. Ultimately, careful consideration needs to be given to the nature of the business and the likelihood of its operation exacerbating local issues.

This policy applies to the Fallowfield and Wilmslow Road

Therefore, where relevant representations have been made, our strict starting point in these areas will be the following approach; ~~shall be taken:~~

#### **Pubs, clubs and bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, subject to compliance with steps and unless outweighed by demonstrable concerns raised in relevant representations that granting the licence would undermine the licensing objectives.
- **NTE and late-night economy:** Policy is to refuse except in exceptional circumstances.

#### **Alcohol off-licences: consumption off the premises, including delivery services**

- **Twilight, evening economy:** Applications will be considered on their merits having regard to the local area objectives, particularly where alcohol represents a small percentage of the overall products on sale, and there will be limitations on promotional activities. There will be a presumption against off-licences exclusively selling alcohol and a ban on window advertising and A-boards for alcohol.
- **NTE and late-night economy:** Policy is to refuse except in exceptional circumstances.

#### **Hot-food takeaways and delivery services, including dark kitchens**

- **Twilight and evening economy:** N/A.
- **Night-time economy post-11pm and late-night economy:** Policy is to refuse for service on the premises except in exceptional circumstances. For delivery-only, applications will be considered on their merits having regard to the local area objectives, LASP3 Delivery services (for alcohol and late-night refreshment) in Section 4 subject to strict compliance being demonstrated. ~~The steps for delivery services are set out in Section 4.~~ There is the likelihood of nuisance from the operation of delivery vehicles given the proximity of the premises to residential properties.

#### **Other venues**

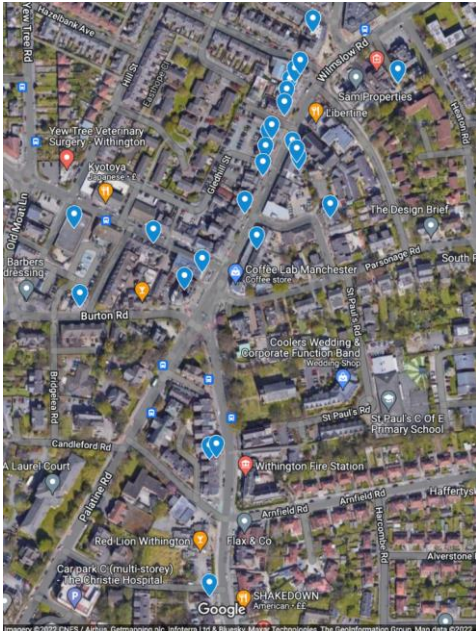
- **Twilight, evening economy:** Strongly encouraged.
- **NTE:** Presumption generally in favour, subject to compliance with steps set out in Section 5.
- **Late-night economy:** Policy is to refuse except in exceptional circumstances.

In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.



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## Withington



The [Withington Village Framework](#), published in 2021, sets out the local aspirations for the development of the area. The vision for the area is to be a viable retail and leisure location with a good range of shops, community services, activities and an attractive evening economy by 2030. Withington is the only district centre that is also a conservation area.

The area is popular with students and so given the predominance of younger people in the leisure economy, issues of women's safety and vulnerability are primary considerations.

Notable cluster: Wilmslow Road (from Withington Library to Burton Road).

### Objectives

- Widen the appeal of the district centre
- Develop Withington Village as a local centre for cultural activities
- Build on recent pop-up events, which have created a sense of vibrancy
- Attract enterprising bars and cafés that promote a local economy and increase footfall in Withington
- Create destination places and spaces for people to meet and dwell
- Significantly improve the visual appearance of the centre
- Preserve the conservation area, where buildings maintain a historic importance for the community
- Improve the quality and diversity of the area, and deliver temporary events, markets and pop-ups where appropriate
- Support an attractive evening economy and extended activity hours, while preventing any adverse impact on residents.

### Special Policy

[This policy shall apply in respect of the area shown on Withington Special Policy Area Map 2023.](#)

[This policy aims to give good operators the chance to flourish and add to Withington's vibrancy and evening economy whilst providing sufficient restraints to prevent operations likely to undermine the licensing objectives locally.](#)

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The approach will be to support the development of the evening economy, in particular. Therefore, the policy is to grant applications for operating during the twilight and evening economy periods. Other venues, such as those that are not alcohol-led night-time economy proposals, will be acceptable until midnight, although later hours until 1am will be more acceptable at the weekend. Drinking establishments in the NTE period will be carefully considered on their respective merits. Late-night economy venues will generally not be acceptable and will be expected to demonstrate they do not harm the licensing objectives.

A more restrictive approach for takeaways is justified to reduce conflict late at night and reduce the likelihood or worsening litter problems in the locality and encourage dispersal, and for off-licences to reduce the availability of alcohol being drunk on the streets, particularly given the proximity to local temporary accommodation for persons with complex needs, and “pre-loading” during the evening.

Therefore, where relevant representations have been made, our strict starting point in this area will be the following approach

#### **Pubs, clubs and bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, subject to compliance with steps and unless outweighed by demonstrable concerns raised in relevant representations that granting the licence would undermine the licensing objectives.
- ~~**NTE; and late-night economy:** Policy is to refuse except in exceptional circumstances. Applications will be considered on their merits having regard to the local area objectives~~
- ~~**Late-night economy:** Policy is to refuse except in exceptional circumstances.~~

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#### **Alcohol off-licences: consumption off the premises, including delivery services**

- **Twilight, evening economy:** Applications will be considered on their merits having regard to the local area objectives, particularly where alcohol represents a small percentage of the overall products on sale, and there will be limitations on promotional activities. There will be a presumption against off-licences exclusively selling alcohol and a ban on window advertising and A-boards for alcohol.
- **NTE and late-night economy:** Policy is to refuse except in exceptional circumstances.

#### **Hot-food takeaways and delivery services, including dark kitchens**

- **Twilight and evening economy:** N/A.
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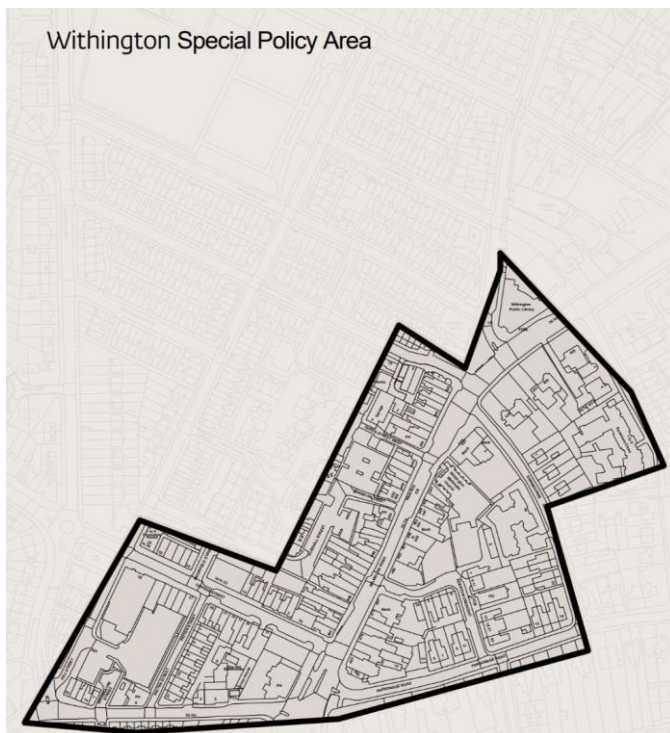
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#### **Other venues:**

- **Twilight, evening economy:** Strongly encouraged.
- **NTE:** Presumption in favour, subject to compliance with steps set out in Section 5.

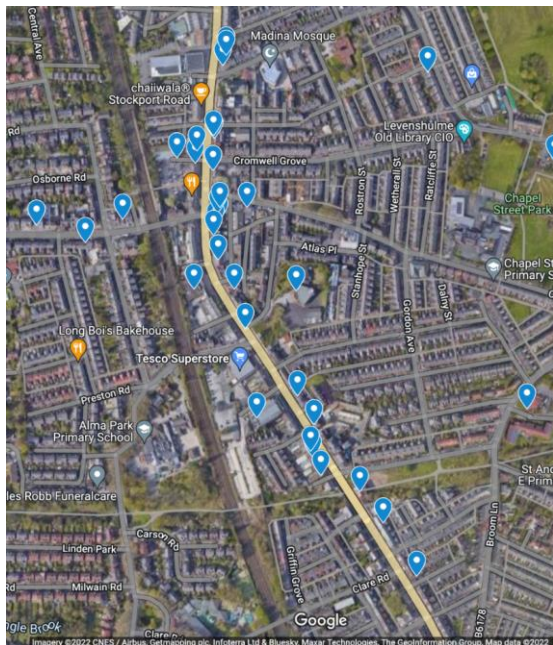
- **Late-night economy:** Policy is to refuse except in exceptional circumstances.

-In all cases representations are received, the authority will consider whether conditions will be appropriate to address the concerns raised or whether a refusal is justified on the basis that the licensing objectives would be undermined. The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.



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## Levenshulme



The A6 (Stockport Road) runs through the heart of Levenshulme and hosts a variety of commercial activities, particularly a range of bars, restaurants and numerous late-night takeaways. The hot-food takeaways operate well into the night.

The area has its own annual [community festival](#), involving a range of local businesses and bringing hundreds of free music, art, food and sport events to the neighbourhood each year.

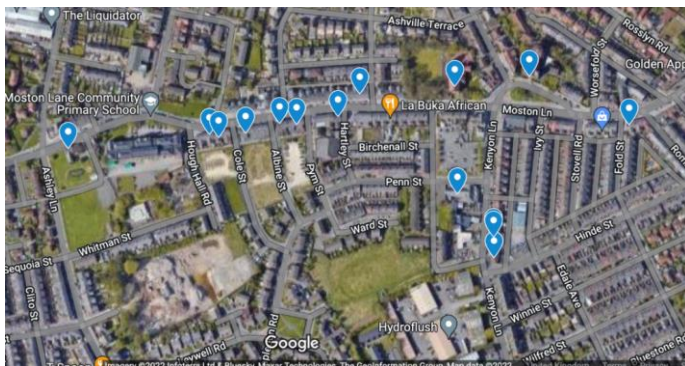
Notable cluster: Stockport Road.

### Objectives

- Support community activities, particularly during the twilight and evening economy periods
- Avoid increases in litter and ensure high standards of management, particularly in relation to delivery services.

## Moston Lane

Moston Lane is a busy commercial thoroughfare with several off-licences, takeaways and restaurants alongside other businesses. Despite seeking to shed its negative reputation, particularly in relation to the number of off-licence premises, the area still faces challenges



associated with regulatory compliance and has seen enforcement required to tackle unlicensed activity.

Notable clusters: Moston Lane, Kenyon Lane.

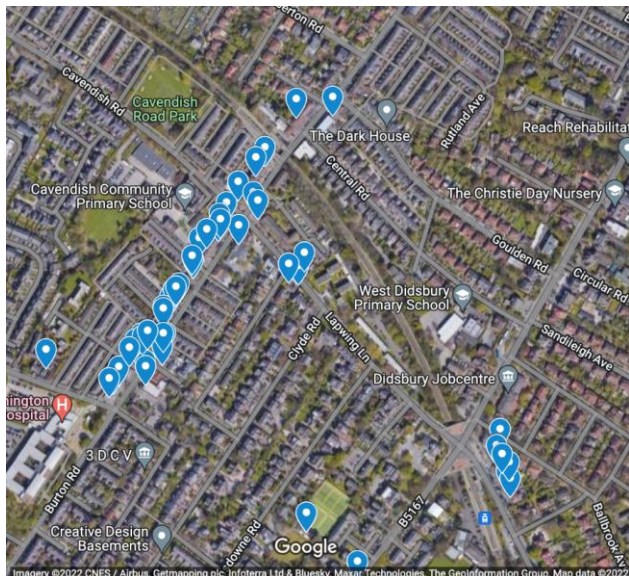
### Objectives

- Promote high levels of compliance with regulatory requirements
- Avoid concentrations of off-licences and late-night food takeaways
- Promote the development of restaurants and venues that support the positive transition of the area away from the negative perception of being an area with alcohol-related issues.



## West Didsbury

Predominant cluster along Burton Road, including Lapwing Lane junction area. Secondary cluster on Lapwing Lane after junction with Palatine Road, although limited hours.



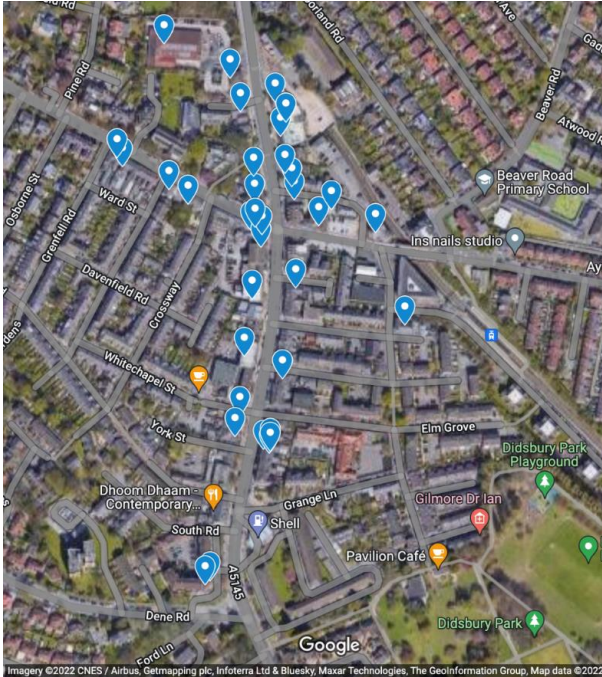
Withington Hospital is home to a monthly artisanal market and the local licensed economy is a hotbed of independent operators.

The area is densely residential and there are issues of cumulative impact arising from the number and density of venues, including transient noise and cars.

## Objectives

- Improve the quality and diversity of the area and deliver temporary events, markets and pop-ups where appropriate
- Support an attractive evening economy and extend activity hours, ensuring there is no adverse impact on residents.

## Didsbury Village



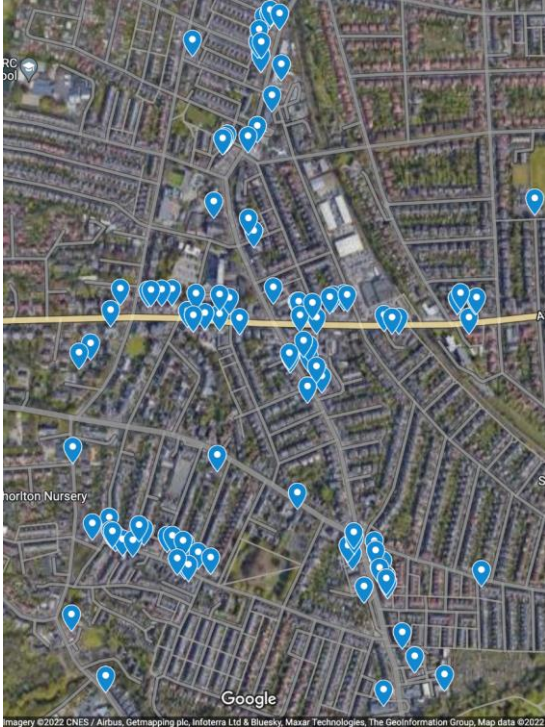
Didsbury was the original suburb in south Manchester to develop and establish an evening and night-time economy and become a destination. Over the years, the growth of night-time uses has matured into a range of good-quality restaurants and bars, in keeping with its reputation as one of the city's most desirable places to live.

### Objectives

- Support an attractive evening economy and extend activity hours, ensuring there is no adverse impact on residents.

## Chorlton

Building on the success of Didsbury, Chorlton developed its own vibrant satellite night-time economy full of independent character and local identity, epitomised by a range of local business and community organisations.



The Chorlton Vision<sup>9</sup> aims to promote a plan for new businesses that balances daytime and night-time uses, alongside retail and leisure services.

Chorlton has several individual clusters of varying degrees: Beech Road, Barlow Moor Road, Manchester Road, and along Wilbraham Road.

There has been a shift in the operation of some businesses, which now operate as shisha venues, bringing with it links to antisocial behaviour and impacts on residents.

### Objectives

- -Maintain the balanced development of licensed premises, while promoting the independent culture of the area
- Where appropriate, demonstrate compliance with the Health Act 2006.

<sup>9</sup> [Property – Chorlton Vision](#)

### **Integration with planning and promoting consistency with the Local Plan**

The licensing process is separate from planning and building control regimes and shall be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters and, as such, licensing applications shall not be a rerun of the planning application. Where the hours granted by planning are different to the licensing hours, the licensee must observe the earlier closing time. Likewise, the granting of a Premises Licence or Club Premises Certificate (or a variation) does not negate the requirement for the licensee to ensure that relevant planning permission (or building control approval) is in place prior to the premises operating. Premises operating in breach of their planning permission may be liable to prosecution or other enforcement under planning law. Any applicant who chooses to apply for the relevant licence prior to obtaining planning permission is advised to be aware of the relevant planning policy for the locality.

Manchester's Local Plan guides development in the city, and an updated version is currently under review.

While licensing and planning applications will be considered separately, consistency between the strategies underpinning decision-making, ie. the Local Plan and licensing policy, can provide a complementary vision for the city. Therefore, the licensing authority as a responsible authority will engage with Planning as a responsible authority, with a view to promoting alignments between the respective strategies at the individual application stage.

## 7. Large events

This section applies to outdoor events, sports stadia, indoor event venues, and purpose-built entertainment arenas with an attendance capacity of 2,000 persons or over.

The licensing authority expects that such events will be subject to an appropriate event-planning process, with Event Management Plans comprising a range of operational documentation underpinned by comprehensive risk assessment and subject to realistic timescales.

Large scale events can place demands on the city's infrastructure, such as public transport and highways networks; neither of whom are responsible authorities, as well as the emergency services. The impact can be exacerbated where different events are operating concurrently in different parts of the city, both at temporary sites and dedicated event venues.

The licensing authority will expect that event organisers to ensure so far as is reasonably practicable, that events are programmed to minimise anticipatable clashes with other large scale events, particularly those requiring emergency service provision.

In all cases, event organisers will be expected to ensure that there are appropriate safety and security resources in place, without reliance on emergency or council services. Nevertheless, we recognise that events will most effectively deliver where there is effective partnership and co-ordination in place with them.

The licensing authority will also expect event organisers to liaise with the Council's Licensing Team in relation to ensuring there is appropriate taxi and private hire arrangements in place as part of any transport plans.

Given the nature of event-management plans, which evolve through the event-planning process, the licensing authority expects operators to demonstrate how they will provide access to relevant documents for responsible authorities and other relevant agencies involved in the process, as well as any proposed safety and security advisory group process.

There is no statutory guidance applicable to licensing large-scale public events other than the Section 182 guidance, which establishes the licensing process is the same as for any other Premises Licence. However, there are several unofficial guidance documents that are relevant.

The licensing authority prefers guidance provided by the Sports Ground Safety Association, given that it is published by the official Government adviser on safety at sports grounds. Therefore, the following guidance documents will be used as reference points to the event-planning process, as far as they are relevant to the specific considerations of the event:

- Event Planning and Management: [Supplementary Guidance 03: Event Safety Management](#), SGSA (Sports Grounds Safety Authority)
- Event and venue infrastructure: [Green Guide](#), SGSA
- [Alternative Uses of Sports Grounds \(Sports Grounds and Stadia Guide No. 5\)](#) – SGSA.

While some parts of the Green Guide will not be directly relevant to entertainment events, as they are football matches, the licensing authority will take a pragmatic approach to how it is applied in practice.

In relation to temporary outdoor public events, the Purple Guide, published by the Event Industry Forum, will be a primary reference.

However, in all cases, the licensing authority will expect event organisers to plan and carry on events in line with industry good practice and have regard to appropriate guidance, such as:

~~Purple Guide, Event Industry Forum~~

[A-Guide](#), National Arenas Association

The Council's Environmental Health service has also published guidance on [noise control for open-air concerts and events](#)

The Council has an Events Team, which is responsible for event space licences for several spaces across the city, including Heaton Park, Platt Fields Park, Castlefield Bowl, Albert Square, Piccadilly Gardens, and Exchange Square.

All event organisers are encouraged to engage with the Council's Events Team, so they can keep up to date with event activity across the city and influence the event-planning process.

## 8. Temporary Event Notices

Where Temporary Event Notices are given as part of a wider event, the licensing authority will expect the responsible authorities consulted to give careful consideration to how the proposed event and its operating plans and risk assessments integrate (1) with other concurrent temporary event notices related to the same event, and (2) with the overarching event organiser's event management plan. Where a responsible authority has concerns that a lack of integration would give rise to any adverse impact on the licensing objectives, they would be expected to submit a relevant representation.

Temporary Event Notices are limited to 499 persons. This figure includes all persons, e.g. Staff and performers, not just attendees. While the licensing authority expects all Temporary Event Notice givers to carefully monitor capacity to ensure this limit is not exceeded, the licensing authority strongly encourages any person giving a notice with a proposed capacity of 499 persons to show how they will ensure capacity is managed. This could be done by including supplementary information alongside the prescribed Temporary Event Notice form. There is no requirement for such documentation to be included, but it may help in avoiding concerns being raised in any objection to a Notice. In all cases, capacity must be managed to ensure overcrowding doesn't occur and that in the event of an emergency, there are emergency exits suitable for the capacity.

While the licensing authority does not have any discretion in issuing a counter notice when an objection is made against a late Temporary Event Notice, it encourages responsible authorities to show their concerns in relation to the event in their objection in the interests of transparency.

### Use of multiple Temporary Event Notices

There must be a minimum of 24 hours between Temporary Event Notices held on the same premises by a premises user or held by that user and another person who is related to, associated with or in business with that user (Section 101, LA2003).

The licensing authority will expect any attempts by individual premises users to use multiple temporary event notices concurrently to be given scrutiny by the police and environmental health

The licensing authority would expect objection notices to be submitted for venues with a history of substantiated complaint and/or previous poor compliance to enable consideration by the Licensing Committee as to whether a counter notice should be issued.

Organisers of events where there will be over 499 persons in attendance should apply for a time-limited Premises Licence, to allow full consultation and consideration of the impact of an event on the promotion of the licensing objectives.

Where objections are received against any multiple Temporary Event Notices that are at similar times or within 24 hours of one another, or events on premises that are alongside one another, a hearing will be held. This will give the users of the premises the opportunity to show how they will ensure that the licensing objectives will not be undermined and the maximum capacity not exceeded. This will be balanced against evidence provided by the police and/or Environmental Health.

### Boxing and other combat sports

The licensing authority considers that it will generally not be appropriate for boxing or other combat sports to be authorised by way of a Temporary Event Notice and would expect a Premises Licence to be applied for to ensure that there is proper scrutiny of such activity by all responsible authorities and that the activity is subject to appropriate conditions and safeguards.

## 9. Designated Premises Supervisors

The Licensing Authority expects the Designated Premises Supervisor to carry out the day-to-day management activities of the premises. This is in line with the expectations of the Section 182 guidance. Where a Designated Premises Supervisor is not able to satisfactorily show they are able to do this, we will invite the Premises Licence holder to appoint an appropriate alternative person.

After the appointment of a Designated Premises Supervisor, if problems arise relating to their performance, the police can at any stage seek a review of a Premises Licence on any grounds relating to the licensing objectives.

The licensing authority will not normally impose conditions related to the management competency of Designated Premises Supervisors, except where it is considered appropriate that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder, public safety and public nuisance.

In exceptional circumstances, the police may object to an individual being appointed as a Designated Premises Supervisor.

Following an objection by the police, if the licensing authority is satisfied that the appointment of a person as a Designated Premises Supervisor would undermine the crime prevention licensing objective, the policy is to refuse the appointment or to remove them as the Designated Premises Supervisor in circumstances where they are already in post.

## 10. Transfer of a Premises Licence

In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises.

The authority has concerns over the frequently observed practice of an application for a transfer of a Premises Licence being made following an application for review of the same licence being lodged. Where such applications are made, the authority will require documented proof of the transfer of the business/lawful occupancy of the premises to the new proposed licence holder to verify that the business is now under new control.

## 11. Personal Licences

Where an applicant for a Personal Licence has an unspent conviction for a relevant offence, the licensing authority will consult with the police, who shall consider whether an objection is appropriate based upon a likely breach of the crime-prevention licensing objective.

Where the police have issued an objection notice, the policy is that, following a hearing, the licensing authority will refuse the application unless there are exceptional and compelling circumstances that justify granting it.

Personal Licences stay valid unless surrendered, suspended, revoked or declared forfeit by the courts. When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This is a discretionary power.

In exercising this discretion, consideration will be given to the nature of the offence and any passage of time.

Where the licensing authority is considering revoking or suspending a personal licence, we must give notice to the licence holder inviting the holder to make representations about the conviction, any decision of a court in relation to the licence, or any decision by an appellate court if the licence holder has appealed such a decision.



Where the Personal Licence holder is a Designated Premises Supervisor, the licensing authority will normally invite the Premises Licence holder to make representations about the Personal Licence holder before deciding whether to revoke or suspend the licence; this is not a legal requirement and may not be appropriate in all circumstances.

## 12. Reviews

At any time following the grant of a licence or Club Premises Certificate, any person or responsible authority may apply for a review of it.

Applications for review must relate to one or more of the licensing objectives and must not (where the review is made by any person who is not a responsible authority) be considered frivolous, vexatious or repetitious by the licensing authority.

A review application is also subject to a similar consultation period to that for a new licence or variation, during which relevant representations may be given. Reviews will be decided at a hearing by a Licensing Subcommittee.

At a review, the licensing authority may take the following steps (if any) where such steps are considered appropriate for the promotion of the licensing objectives:

- a) Modify the conditions of the licence
- b) Exclude a licensable activity from the scope of the licence
- c) Remove the Designated Premises Supervisor
- d) Suspend the licence for a period not exceeding three months
- e) Revoke the licence.

In cases where there is evidence that the crime prevention objective is being undermined, revocation of the licence will be seriously considered by the authority, even in the first instance.

However, in all cases, the licensing authority will expect reviews to be submitted when they are needed and would expect to see level of engagement beforehand.

There is a right of appeal to the Magistrates' Court against the decision of the Licensing Subcommittee, and if an appeal is lodged by the licence holder, the original decision of the licensing authority will not take effect until the appeal is decided or withdrawn. There is an exception to this in the case of a Summary Review brought only by the police.

### Summary Reviews

Summary Reviews (also known as Expedited Reviews) can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The Summary Review process, set out under Sections 53A–53D of the 2003 Act, allows interim conditions to be quickly attached to a licence and a fast-track licence review.

Within 48 hours of receipt of the chief officer's application, the licensing authority must also consider whether it is necessary to take interim steps, pending the determination of the review, to

address the immediate problems with the premises, in particular the likelihood of serious crime and/or serious disorder.

The interim steps that the licensing authority must consider taking are:

- Modification of the conditions of the Premises Licence
- Exclusion of the sale of alcohol by retail from the scope of the licence
- Removal of the Designated Premises Supervisor from the licence
- Suspension of the licence.

Modification of the conditions of the Premises Licence can include the alteration or modification of existing conditions or the addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

The focus for interim steps shall be on the immediate measures necessary to prevent serious crime or serious disorder occurring.

The licensing authority, in deciding when its decision on interim steps should take effect, will consider the practical implications of compliance in relation to the premises. Careful consideration will be given to interim steps that require significant cost or permanent or semi-permanent adjustments to premises and that would be difficult to remove if the outcome of the subsequent full review was to withdraw or modify those steps. For example, making structural changes, installing additional CCTV or replacing all glassware with safer alternatives may be valid steps, but might be disproportionate if they are not likely to be considered necessary following the full review (or any subsequent appeal).

### **Ability to reinstate conditions relating to live music upon review**

The licensing authority may reinstate or impose conditions for live music following a review of a Premises Licence or Club Premises Certificate relating to premises authorised to supply alcohol for consumption on the premises, where it can be demonstrated that live music has undermined the promotion of the licensing objectives and such action is considered to be appropriate.

## 13. Compliance and enforcement

Regulatory support for the sector can be frustrating and time-consuming. We recognise that few operators want to break the law or endanger people. Our aim is to promote compliance within the night-time sector and carry out our regulatory activities in accordance with the first provision of the [Better Regulation Delivery Office's Regulatory Code](#) ('Regulators should carry out their activities in a way that supports those they regulate to comply and grow').

We aim to ensure the social economy can survive and thrive. We recognise that the smallest operators without resources need the most support from regulators. Licensing officers can help by explaining any policy requirements, giving pre-application advice, and advising on response times; they can also help with mediation, and signpost to training opportunities. Representatives from different authorities will also routinely attend local area licensing network meetings with businesses.

Where regulatory action is required, a stepped approach will be taken in a consistent, transparent and proportionate manner. This will involve working with licensees in partnership to resolve matters, either informally or through a documented action plan, rather than moving straight to enforcement, except in urgent cases. Any enforcement action will always be taken in line with the Council's [corporate enforcement policy](#).

A review will only be applied where the efforts to support compliance are not reciprocated, or in serious circumstances where lesser action is not considered appropriate.

Responsible authorities will aim to give licensees early warning of any problems in an attempt to work in partnership with the trade to resolve issues (e.g. joint-agency action planning and voluntary initiatives). It is expected that the trade reciprocates this spirit of co-operation to achieve the promotion of the licensing objectives.

As a licensing authority, we promote partnership between the responsible authorities and relevant agencies, such as the Security Industry Authority (SIA) through our Licensing Multiagency Partnership. Enforcement activities and issues arising from licensed premises are also routinely reviewed and visits to licensed premises carried out. These may be proactive visits, responses to complaints and identified issues, or just as part of regular engagement. Programmed inspections and co-ordinated multi-agency operations will also be undertaken on a risk basis, driven by measurable intelligence such as crime reports, complaints, and enforcement demands.

Once away from the licensed premises, a minority of consumers will behave badly. There are ways both within and outside the licensing regime to address such issues. For example:

- Planning control
- Positive measures to create a safe and clean town-centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practice schemes such as Best Bar None, Pubwatch and BIDs
- Community Protection Notices
- Provision of CCTV surveillance in town centres and taxi ranks; provision of public conveniences open late at night; street cleaning and litter patrols; powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
- Confiscation of alcohol from adults and children in designated areas; police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)
- Raising a contribution to policing the late-night economy through the Late Night Levy; Early Morning Alcohol Restriction Orders.

### **Suspension of licence for non-payment of fees**

The licensing authority is required to suspend a Premises Licence or Club Premises Certificate if the annual fee has not been paid when it is due. Where a Premises Licence or Club Premises Certificate has been suspended, no licensable activities can be lawfully carried out at the

premises until the annual fee has been paid. The suspension shall be lifted immediately upon payment of the fee and licensable activities may then be resumed.

If an annual fee has not been paid by the due date, the licence holder shall be notified accordingly by the licensing authority and given notice of the date the suspension shall take effect.

Where payment has not been made by the due date because of a genuine administrative error, or because the licence holder disputed liability for the fee before or at the time of the due date, there shall be a grace period of 21 days to resolve the matter before the licence is suspended.

## 14. Shadow Licences

A Shadow Licence is commonly understood to refer to a Premises Licence granted on the same (or similar) terms to a pre-existing licence, typically held as a contingency measure by the property owner to preserve the licensing position in the event of action being taken against the original licence or its lapsing.

Where an application for a Shadow Licence is made, the licensing authority will expect there to be a clear distinction made regarding the circumstances in which that licence will function instead of the original.

Similarly, the licensing authority would expect any application for a review of a premises where there is a Shadow Licence to be accompanied by a concurrent application for review of the Shadow Licence to avoid the review process being undermined.

## 15. Determining applications

### General

The licensing authority must carry out its licensing functions with a view to promoting the four licensing objectives:

In carrying out its licensing functions, the licensing authority must have regard to this licensing policy and any guidance issued by the Secretary of State under Section 182.

### Delegated powers

Where no representations are made, the licensing authority must grant the application subject to mandatory conditions and appropriate conditions converted from the steps to promote the licensing objectives that were proposed in the application's operating schedule.

Many of the decisions and functions will be purely administrative in nature, and in the interests of speed, efficiency and cost-effectiveness, such matters are delegated to officers in the Licensing Unit.

See Appendix G for a full breakdown of the decision-making levels.

### Licensing hearings

Where there are relevant representations, a hearing will be held by a subcommittee of three councillors from the authority's Licensing Committee. Hearings will be scheduled in line with the regulations of the Licensing Act. The authority may extend these timescales, where it is permitted to do so, because of the complexity of issues, the number of submissions received, whether submissions are made in a timely manner and, particularly, the time taken by the applicant or other parties to respond to any questions or requests from the authority for further information.

The Licensing Act gives the authority a duty to have regard to the public interest in the performance of their licensing functions to *determine what actions are appropriate for the promotion of the licensing objectives in their area* (Section 182 Guidance, para 9.41).

This could involve granting a licence, granting with conditions attached, or refusing the licence. The same evaluative process is required by the Act whether the premises are currently operating or not. In all cases decisions should be made not only on whether there is currently crime, public nuisance etc present, but also on whether an application might lead to circumstances that could generate these, and therefore undermine the licensing objectives.

The authority will not stray into non-contested matters or identify further issues or material that have not been raised in submissions unless it considers necessary to do so in line with the authority's duty to ensure the promotion of the licensing objectives; if a Licensing Committee thinks that any evidence submitted is either unclear or misleading, or if it has questions that remain

unanswered, it has the power to be inquisitive and ask questions of any party at the hearing (see Reg 17 of the Hearings Regulations 2005). The licensing authority will act on any material it considers plausible and apt to influence its judgment. The High Court has held that the only parameter to this power is 'relevance and materiality' (Murco Petroleum v Bristol [2010] para 30).

### **The role of the licensing objectives in decision-making**

While the licensing objectives are an important material factor, they do not enjoy exclusivity when it comes to deciding what is relevant, and the authority has full power to consider all factors, positive and negative, in relation to a proposal.

All these considerations involve a wider consideration of the geographic location in which the licensed venue sits, and how the application would impact upon this, and so the licensing authority will consider an application dynamically within its local context, with a view to determining what action (if any) is appropriate to promote the licensing objectives in each individual case. As set out in Section 4, ultimately, in areas where the correct balance is not struck, the intention is to diversify the licensed economy there.

Submissions identifying both positive and negative aspects of the proposed licensed premises will be taken into account by the authority when considering the overall impact of a licence application.

### **Each case determined on its merits**

Issues relevant to the likely effect upon the licensing objectives of an application being granted will vary according to the circumstances of each case and will be influenced by the extent of stakeholder participation. Each application will be determined on its merits.

'Promoting the prevention' (see Section 182 Guidance para 1.21) of the objectives can be seen as actively working to create environments where the licensing objectives are less likely to be undermined. While decisions on this need to be evidenced, transparent and logical, by their nature they are often not clear-cut.

The Court of Appeal has made it clear that licensing decisions should involve 'an evaluative judgment' as opposed to a black and white pronouncement. Key to this is the way in which the issues and the evidence are dealt with. Although these are "...in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location... (this) is essentially a matter of judgment rather than a matter of pure fact." (Hope and Glory [2011] para 42).

The Court of Appeal is clear that licensing is an administrative function (Hope and Glory v Westminster [2011] para 41), to which a balance of probabilities applies. This means that licensing committees can decide — on the balance of probabilities — that the occurrence of an event was more likely than not.

Licensing committees are not courts of law, and in licensing decisions causality also needs to be seen within 'an evaluative judgment', and not necessarily to be proved beyond reasonable doubt. In making its judgment, a licensing committee will assess any evidence and its link with a particular premises with a view to ensuring the link is logical and transparent.

### **Need and commercial demand**

Whether or not there is a need or demand for a new licensed business is not a relevant consideration. However, the number of existing licensed businesses in a locality and the addition of a further outlet continue to be relevant to the issue of overall impact on the promotion of the licensing objectives.

### **Evidence**

The guidance does not bind committees by strict rules of evidence, although the key facts and contentions asserted in an application or relevant representation should be supported by relevant evidence or other material, eg. photos, press articles, videos.

Relevant evidence means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the application more probable or less probable than it would be without the evidence.

Where a party can support their case with relevant evidence, their case will be stronger than without.

The more improbable the event, the stronger the evidence would be expected to be to demonstrate its likelihood.

Evidence may, for example, come from the geographic location or the conduct of an operator. For new applications it is necessary to evaluate the impact that they may have on the objectives, and relevant evidence from the locality can be used to help with this. In most situations the best evidence is local information that can be seen as material fact and directly relevant to a specific case.

To the extent that contentions are based upon underlying material (eg. a police or Council submission based upon data on alcohol-linked crime rates or disturbance complaints in a community), then the underlying material upon which those contentions are based should be either made available to the authority or identified in a manner that would enable an opposing party to make an informed response.

Similarly, if any party makes a contention about the likely positive or negative social impact of a proposed licensed premises that is based upon research or statistics, the underlying research or statistics should be identified.

Notwithstanding the above, members of the local and broader communities may express their observations or opinions regarding the impact of a proposed licensed premises without providing expert or statistical evidence in support of those submissions.

Persons making submissions to the authority should be aware that their submissions will be given to the applicant and be contained in any committee report published by the authority for the determination of the application.

### **Cumulative impact**

Even if there is no cumulative impact policy, those making representations may still do so based on cumulative impact, and their representation will be considered on merit.

## Hours

~~We aim to promote high venue diversity, a wide variety of entertainment options, inclusive and accessible venues, a diverse and multigenerational set of participants, and a safe public space.~~

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~~Later hours will generally be more appropriate within the city centre than other areas of the city due to the developed infrastructure in respect of managing a later night time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence.~~

~~We will use these time period definitions to shape our Area-based policies (Section 5). Furthermore, we will aim to align our licensing and planning strategies to promote growth and development of the licensed economy in tandem with the wider ambitions of the future of the city.~~

~~Hours will not be reduced as a bargaining tool to compromise; the starting point for the application is not important — it is the outcome that must be appropriate for the promotion of the licensing objectives. Applicants are strongly encouraged to apply for the hours they intend to operate, and it may be that not applying for (unwanted) later hours might reduce the likelihood of objections against the application. The licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours. While the quality of the venue and the operator will be an important consideration generally and may be a relevant consideration in justifying the appropriateness of a later terminal hour, it is often beyond the capacity of the operator to control the impact of customers once they have left the premises. The lateness of the terminal hour for the premises will often be a contributory factor in the risk of intoxication and potential for disturbance, and so licensed hours may be reduced to avoid:~~

- ~~• The likelihood of nuisance~~
- ~~• Peaks of dispersal. The licensing authority will also be mindful of the risk of staggered closing times leading to 'migratory drinking' and problems on the streets as patrons move from closed bars to open ones.~~

## Conditions

~~If a relevant representation is made, the licensing authority will have the discretion to take appropriate steps to promote the licensing objectives.~~

~~Conditions that simply reflect good management practices should not generally be expected to appear on Premises Licences without very good reason. Instead, the licensing authority will aim to focus conditions to determine the fundamental issue of whether a premises can operate in a particular locality in a manner that prevents the licensing objectives being undermined.~~

~~While this policy advocates the use of a Plan of Management to demonstrate company policies and practices, this will not be a substitute for appropriate conditions given that a licence can be transferred to a different holder.~~

~~Relevant conditions will not be limited to measures set out in this policy, and the authority will consider whether there is evidence that shows it is appropriate to impose a condition specifically to promote one or more of the statutory licensing objectives, including public safety and protecting children from harm.~~



The licensing authority will not seek to micro-manage the operation of a business through the extensive imposition of conditions; however, it considers that a limited number of conditions are appropriate for the understanding by an operator regarding those specific requirements and to facilitate compliance monitoring.

When attaching conditions, the principles to be applied by the licensing authority are that conditions will be:

- Tailored to the premises and licensable activities concerned
- Appropriate, necessary and proportionate
- Precise, clear and unambiguous
- Practical, realistic and enforceable
- Non-duplicative of existing statutory requirements or offences
- Self-contained (ie. the reader should not need to look outside the condition itself to know precisely what is required)
- Modern and fit for purpose.

Conditions will not:

- Be applied as standard
- Replicate offences set out in the Licensing Act 2003 or other legislation
- Duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
- Seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff
- Require the admission of children to any premises.

The licensing authority will not impose conditions that restrict or prevent access by children unless relevant representations are made and doing so is considered appropriate to promote the licensing objectives. Where relevant representations are received, the licensing authority may seek to ensure that children are not permitted to enter or remain on licensed premises after a 'specified cut-off time' by attaching an appropriate licence condition. Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- Restrictions on the hours children may be present
- Restrictions or exclusions on the presence of children under certain ages when specified activities are taking place
- Restrictions on the parts of the premises to which children may have access
- Age restrictions (below 18)
- Restrictions or exclusions when certain activities are taking place
- Requirements for an accompanying adult (including, for example, a combination of requirements that state children under a particular age must be accompanied by an adult)
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

~~Conditions requiring the admission of children to any premises cannot be attached to licences. Where no licensing restriction is appropriate, this should remain a matter for the discretion of the individual licence holder, club or premises user.~~

### **~~Refusal~~**

~~Where, following relevant representations and a hearing, the authority is not satisfied that the imposition of conditions is appropriate and sufficient for the promotion of the licensing objectives, the authority can restrict licensable activities and/or hours.~~

~~The authority may also refuse to specify the person nominated as Designated Premises Supervisor. However, where all the above steps are not considered appropriate and sufficient to promote the licensing objectives by the authority, the policy is to refuse the application.~~

~~Applications will normally also be refused where an applicant is unable to demonstrate a satisfactory ability to ensure the promotion of the licensing objectives. This may be due to previous conduct or a lack of competency through deficient relevant knowledge, training, policies and procedures.~~

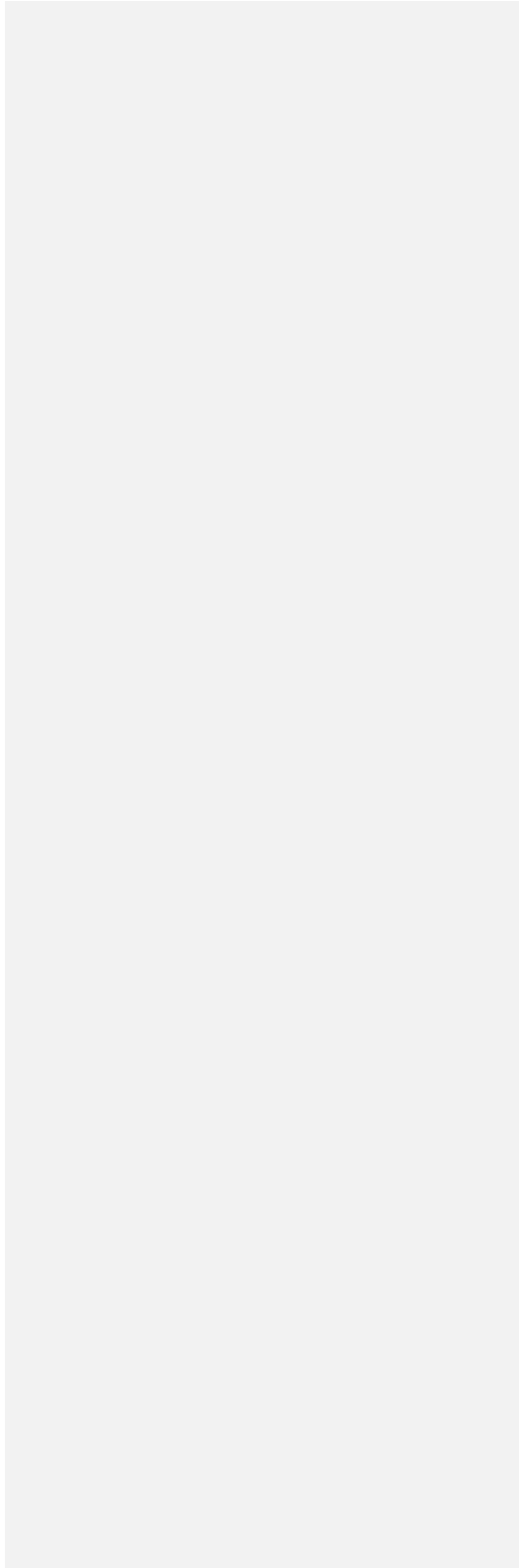
### **~~Notification of the authority's decision~~**

~~When the authority has determined an application, it will notify the applicant and any other party it is required to notify under the Licensing Act 2003.~~

~~At a hearing, the authority may, at its discretion, advise the parties in attendance of their decision before the formal decision letter is notified. However, it reserves the right to communicate its decision within five working days of the hearing, except in Summary Review matters.~~

# APPENDICES

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## Appendix A: The licensing process

A useful breakdown of the licensing process can be found on the GOV.UK website:

[Alcohol licensing – GOV.UK \(www.gov.uk\)](https://www.gov.uk)

In summary, businesses, organisations and individuals who want to sell or supply alcohol, provide regulated entertainment, or [late-night refreshment](#) in England and Wales must have a licence or other authorisation from a licensing authority – usually a local council. The law and policy governing this area are overseen by the Home Office.

The types of businesses and organisations that need licences might include:

- Pubs and bars
- Cinemas
- Theatres
- Nightclubs
- Late-opening cafes
- Takeaways
- Village and community halls
- Supermarkets.

The types of licences required are defined as follows:

Any business or other organisation that sells or supplies alcohol on a permanent basis needs to apply for a [Premises Licence](#). The licence will specify the activities permitted, the hours they can be carried out, and the operational conditions the operator must comply with.

A [Personal Licence](#) allows a person to sell alcohol on behalf of any business that has a Premises Licence or a Club Premises Certificate. Premises licensed to sell alcohol must have a designated Premises Supervisor (DPS) who holds a Personal Licence; this person is expected to be in day-to-day control of the business and provides a focal contact point. The one exception is a community premises that have successfully applied to waive the DPS requirement under Section 41D of the Act. Anyone who does not hold a Personal Licence must be authorised to sell alcohol by a Personal Licence holder. There is no such requirement for the supply of alcohol in a qualifying members' club.

Qualifying members' clubs (such as the Royal British Legion, working men's clubs and rugby clubs) need to apply for a [Club Premises Certificate](#) if they plan to sell or supply alcohol.

Once granted, the holder of a Premises Licence may apply for a variation of their licence to change any of the permitted hours, licensable activities, or conditions. For non-contentious changes, there is a simplified 'minor variation' process.

A Premises Licence holder may apply to vary the person specified on the licence as the Designated Premises Supervisor.

A new operator may apply to transfer a Premises Licence to their name, subject to the existing licence holder providing their consent, except in certain circumstances.

Where problems arise in respect of a licensed premises, where these cannot (or would not be appropriate to) be resolved informally, there are [enforcement powers](#) available to the police and the licensing authority. There is also a process to apply for the review of a licence, which can be made by any person as well as the responsible authorities. The police can apply for an Expedited Review (also known as a Summary Review) in cases of serious problems.

Any person may give the licensing authority a Temporary Event Notice (TEN) to carry on licensable activities at any place. There are limits to the number of TENs that can be given and to their duration. Ten working days' notice must be given for a TEN. Where between five and nine working days' notice is given, this is classed as a Late TEN. The difference is that where an objection is made against a TEN, the licensing authority will hold a hearing to consider whether to issue a counter-notice, thereby prohibiting the licensable activities from being permitted. However, where an objection to a Late TEN is received, the licensing authority must issue a counter-notice.

Premises Licence applications (including variations) are subject to a public consultation process, during which the application must be publicly advertised, and any person can submit written representations relevant to the licensing objectives.

Only the police and Council's Environmental Health service can object to a Temporary Event Notice. Only the police can object to the transfer of a licence or variation of the designated Premises Supervisor.

### **Exemptions from the licensing requirements for late-night refreshment**

Paragraph 2A of Schedule 2 of the 2003 Act (as inserted by the Deregulation Act 2015) gives licensing authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late-night refreshment.

The powers allow a relevant licensing authority to exempt the supply of late-night refreshment if it takes place:

- a) On or from premises wholly situated in a designated area
- b) On or from premises of a designated description
- c) During a designated period (beginning no earlier than 11pm and ending no later than 5am).

A licensing authority can only exempt types of premises set out in the regulations. These are:

- Motorway service areas
- Petrol stations
- Local authority premises (except domestic premises) unless there is an event taking place at which more than 500 people are present
- Schools (except domestic premises) unless there is an event taking place at which more than 500 people are present
- Hospitals (except domestic premises)

- Community premises (church, chapel, village, parish or community hall or other similar building) unless there is an event taking place at which more than 500 people are present
- Licensed premises authorised to sell by retail alcohol for consumption on the premises between the hours of 11pm and 5am.

The licensing authority has not exempted any premises to have a licence to provide late-night refreshment.

### Consumption of alcohol in licensed outdoor areas

The popularity of, and demand for, alfresco dining and drinking has reached new heights since the COVID-19 pandemic. As a response to social-distancing limitations and the appeal of open-air environments, many businesses have incorporated outdoor areas within their operating model.

There are two main types of outdoor places from which alcohol will be consumed:

- a) An outdoor place that is covered by the Premises Licence for on-sales
- b) An outdoor space that is not covered by the Premises Licence and is therefore an off-sales premises ([e.g.](#) on a highway).

Where the outdoor place is on the public highway, the use of furniture must be licensed separately, either by way of a pavement licence or a licence under the Highways Act 1980 (typically referred to as a 'tables and chairs licence').

For the public to consume alcohol in these outdoor areas, you must have a Premises Licence that authorises the sale of alcohol. To enable businesses to make use of outdoor space for dining and the sale of alcohol, the Government has introduced a [temporary automatic extension](#) to the terms of most Premises Licences to allow the sale of alcohol for consumption off the premises. This permits off-sales to be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, subject to a cut-off time of 11pm or the closure time of an existing outside area, whichever is earlier. Measures also temporarily suspend existing licence conditions insofar as they are inconsistent with the new off-sales permission.

## Appendix B: The Licensing Unit and Responsible Authorities

Below are the contact details for the Licensing Unit for the submission of applications and advice or enquiries about licensed premises.

Licensing Unit (Premises), Premises Licensing, Manchester City Council, Level 1, Town Hall Extension, PO Box 532, Manchester M60 2LA

[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

Tel: 0161 234 4512

The Responsible Authorities in Manchester for the purposes of Section 13(4) of the Licensing Act 2003 are:

### Licensing authority

The Principal Licensing Officer, Premises Licensing, Manchester City Council, Level 1, Town Hall Extension, PO Box 532, Manchester M60 2LA

[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

Tel: 0161 234 4512

### Chief Officer of Police

Greater Manchester Police (GMP) Licensing Partnership Team, Level 1, Town Hall Extension, Lloyd Street, Manchester M2 5DB

Email: [centrallicensing@gmp.police.uk](mailto:centrallicensing@gmp.police.uk)

Tel: 0161 856 3363

### Greater Manchester Fire Authority

~~North Manchester (premises have a postcode within the ranges M1–M4, M8–M9, M11–M13, M18, M25):~~

~~The Fire Safety Manager, Greater Manchester Fire and Rescue Service, Manchester Central Fire Station, Thompson Street, Manchester M4 5FP~~

~~[www.manchesterfire.gov.uk/authority/](http://www.manchesterfire.gov.uk/authority/)~~

~~Tel: 0161 608 5310~~

~~South Manchester (premises have a postcode within the ranges M14 M16, M19 M23, M40, M90):~~

~~The Fire Safety Manager, Greater Manchester Fire and Rescue Service, Withington Central Fire Station, Wilmslow Road, Withington, Manchester M20 4AW~~

~~[www.manchesterfire.gov.uk/authority/](http://www.manchesterfire.gov.uk/authority/)~~

~~The Fire Safety Technical and Consultation Manager, Greater Manchester Fire and Rescue Service Headquarters, 146 Bolton Rd, Swinton, Pendlebury, Manchester M27 8US~~

~~<https://www.manchesterfire.gov.uk/>~~

~~Email: [consultations@manchesterfire.gov.uk](mailto:consultations@manchesterfire.gov.uk)~~

~~Tel: 0161 608 4040~~

**Public Health Authority**

~~Public Health Manchester, PO Box 532, Town Hall, Manchester M60 2LA~~

~~[dast@manchester.gov.uk](mailto:dast@manchester.gov.uk)~~

~~Director of Public Health, Manchester Department of Public Health, Department of Public Health, Level 4, Town Hall Extension, Manchester City Council, M2 5DB~~

~~[PHregulatory@manchester.gov.uk](mailto:PHregulatory@manchester.gov.uk)~~

~~Tel: 0161 234 3436~~

**Health and Safety (local authority premises, hospital premises and some university premises)**

Health and Safety Executive, Grove House, Skerton Road, Manchester M16 0RB

Tel: 0161 952 8200

**Health and Safety at all other premises**

Environmental Health (Premises Licences), 1 Hammerstone Road, Gorton, Manchester M18 8EQ

[EnvH.Licensing@manchester.gov.uk](mailto:EnvH.Licensing@manchester.gov.uk)

Tel: 0161 234 4854

**Environmental Health**

Licensing and Out of Hours Team, Level 1, Town Hall Extension, Manchester M60 2LA

[Outofhourscompliance@manchester.gov.uk](mailto:Outofhourscompliance@manchester.gov.uk)

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Tel: 0161 234 4854

### **Planning**

Manchester City Council Planning Department (Premises Licences), PO Box 463, Town Hall, Manchester M60 2LA

[planning@manchester.gov.uk](mailto:planning@manchester.gov.uk)

Tel: 0161 234 4516

### **Trading Standards**

Trading Standards Service, 1 Hammerstone Road, Gorton, Manchester M18 8EQ

[trading\\_standards@manchester.gov.uk](mailto:trading_standards@manchester.gov.uk)

Tel: 0161 234 1555

### **Body designated to advise on the protection of children from harm**

Manchester Safeguarding Children Board, c/o Licensing Officer, PO Box 532, Manchester City Council, Level 4, Town Hall Extension, Manchester M60 2LA

[mscb@manchester.gov.uk](mailto:mscb@manchester.gov.uk)

Tel: 0161 234 3330

### **The Inland Navigation Authority (in relation to vessels on the Bridgewater Canal and Manchester Ship Canal only)**

Manchester Ship Canal Company, Peel Dome, Trafford Centre, Manchester M17 8PL

[www.shipcanal.co.uk](http://www.shipcanal.co.uk)

## Appendix C: Connected key strategies

This policy delivers on key components of the Manchester Strategy and has strategic links with several other policies and strategies.

Many of these strategies may not be directly related to the promotion of the licensing objectives, but have an indirect impact upon them. Co-ordination and integration of such policies, strategies and initiatives is therefore important.

[The Manchester Strategy](#) sets out how we intend to make Manchester the place people want to live, work, play and do business in 2025. It is based on five themes:

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

[GM Night-Time Economy Strategy 2022–24](#) - The strategy outlines the proposed focus of the night-time economy adviser, and the GM night-time economy panel's work for the next three years. The strategy is divided into seven priorities: safety, diversity, workers, transport, national and international partnerships and campaigns, regeneration, and business and sector support.

Community Safety Strategy – The Community Safety Partnership has one overriding objective – to make Manchester a safe place to live, work and visit. The work of the Partnership is underpinned by the Our Manchester Strategy, which places emphasis on working with residents, partners and communities to improve safety across the city.

[2022: Our Year](#) This publicised that children should not be denied opportunities to engage in cultural and entertainment activities, where there is no good reason to do so. Equally, we will ensure that children are appropriately protected from any harm, including physical, moral or psychological harm.

The [Manchester Water Safety Partnership](#) works together to help make Manchester's waterways safer, with a key focus on the city centre. Sadly, there have been several fatalities in Manchester waterways where young people had been enjoying a night out in the city centre.

We will support this work by:

- Continuing to support and inform the partnership on licensing matters
- Facilitating and promoting free water-safety training for the staff of licensing premises
- Imposing appropriate requirements on venues in proximity to water, such as requiring the provision of safety equipment, risk assessments, and training
- Ensuring water-related incidents associated with licensed premises are appropriately addressed through compliance and enforcement activities.

A thriving social and cultural economy contributes towards the successful delivery of other strategies, including:

[Manchester Cultural Ambition 2016–26](#) By increasing routes into employment in creative industries and supporting the conditions for growth of the creative and cultural sector.

[Greater Manchester Cultural Strategy](#) This strategy sets out the long-term ambitions for culture, heritage and the creative industries in Greater Manchester for the next five years, where the individual strengths of all ten GM districts can come together for the benefit of everyone.

[Manchester Youth Offer](#) By providing support for skills and training opportunities for young people, including skills for life.

[Manchester: A Great Place to Grow Older](#) By supporting skills and training opportunities for older people. Music has a unique position as a facilitator in social inclusion, such as through choirs, orchestras and community events; this is important as the population ages, as loneliness in older adults can increase.

[Developing a More Inclusive Economy: Our Manchester Local Industrial Strategy](#) Supporting development of a more inclusive economy by encouraging growth in good-quality and sustainable employment.

[Powering Recovery: Manchester's Recovery and Investment Plan](#) This is the Council's strategy for how Manchester will emerge reinvigorated from the economic shock of the COVID-19 pandemic and other challenges, such as the uncertainties of Brexit.

[Build Back Fairer in Greater Manchester: Health Equity and Dignified Lives](#) (The Marmot Review) This states that to achieve a permanent reduction in health inequalities GM needs to focus on the social determinants of health. These are factors outside healthcare that affect health, including: income, poverty and debt, work and unemployment.

[Manchester Work and Skills Strategy 2022–27](#) This sets out how we will use learning and employment to meet the Our Manchester Strategy vision of being a more highly skilled city, and how we will help create a more inclusive and zero-carbon economy in Manchester where more of our residents are connected to our city's success.

## Equality and inclusivity

The public sector equality duty is a duty on public authorities to consider how their policies or decisions affect people who are protected under the Equality Act.

The [Equality Act 2010](#) places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The licensing authority will not seek to duplicate [existing legal requirements](#) in relation to equality issues. However, we expect that all licensed premises have:

- Inclusive and transparent policies (for example, admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however, they

must not prevent admittance based on perceived attractiveness, size, or against any of the protected characteristics)

- Robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed
- Comprehensive training on equality and inclusion for all staff. It is important that any training is regularly refreshed.

#### [Our Manchester Disability Plan](#)

Licensees need to comply with and actively contribute to the standards set in the Equality Act 2010. Disabled people want to access the same community and city facilities that everyone else can and we will encourage this through promoting accessible venue layouts.

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## Appendix D: Premises operational policies and procedures

This policy sets out several expectations of applicants, and Section 4 proposes operational plans and policies that may be expected to be in place. This section sets out suggested approaches to delivering some of these. Operators are not limited to the guidance in this section and are encouraged to develop and implement best practice.

### Local consultation

We encourage applicants for licences to engage and communicate with local stakeholders. In doing so, it is recommended to record:

1. The relevant stakeholders identified
2. Issues raised by stakeholders during consultation, including:
  - a. Outcomes and any resolutions (e.g. modifications to the application, undertaking, proposed conditions) in response.  
If you have given undertakings, describe them, including the persons or organisations you gave them to. (Do not include any person's name – use a general description.)
  - b. For any issues where you were not able to resolve issues, concerns and objections raised by stakeholders.  
Any details of why not and describe any undertakings, concessions or modifications to your proposed application that you offered to stakeholders that were not accepted.
  - c. The impact you think your proposed licence will have on the local community.
3. If you will be delivering alcohol or late-night refreshment outside of your local community, include information about these areas and the impact you think your proposed licence will have on these areas. (Include any potential negative impacts as well as benefits for stakeholders).
4. Keep neighbours updated of any changes to management and contact details
- 3-5. Hold regular ongoing meetings

### Plan of Management

The plan should be succinct but outlines how the operations at your venue will be managed. Section 5 sets a range of operational considerations that may cross over into contents of the Plan of Management. Additionally, it could have details of any local engagement, as well as copies of relevant policies, procedures and risk assessments, including:

- Fire risk assessment for the venue
- Smoking policy
- Dispersal policy
- Calculation of the safe occupancy of the venue
- Harm-reduction policies, including welfare and vulnerability procedures
- Alcohol Management Plan

- Security plans, including how any 'designing out crime' principles, such as Secured by Design, are implemented to reduce or eliminate risks through the design or redesign of the premises and the immediate surrounding area.
- Emergency plan
- Noise-management plan
- Disabled access and facilities statement
- Training procedures

## Alcohol Management Plan

An Alcohol Management Plan provides a framework for patrons and staff alike in understanding the responsible service principles adopted by your venue.

A good Alcohol Management Plan is a statement of actions to be taken by your venue and can cover such things as:

- Not serving minors or intoxicated patrons
- Not conducting irresponsible alcohol promotions
- Ensuring good-quality food is always available
- Promoting safe transport options to patrons
- Offering discounted non-alcoholic drinks
- Your venue's approach to dealing with problem patrons
- Restricting the types of drinks sold after midnight
- The type of business; however, its primary focus should be the responsible service of alcohol.

Your Alcohol Management Plan should also include details of how these practices will remain current (including ongoing staff training, and how often the Alcohol Management Plan will be reviewed). It is important that your Alcohol Management Plan includes what controls are in place to ensure your operations will be run responsibly and does not unduly impact on the quiet and good order of your neighbourhood.

Some key areas you may wish to include are:

- Policy/procedures regarding responsible service – what are the obligations of your staff in serving alcohol?
- Policy/procedures regarding running responsible alcohol promotions
- Policy/procedures to manage intoxication
- Policy/procedures to manage vulnerability and spiking incidents
- Policy/procedures to manage underage access to alcohol
- Policy/procedures to ensure the security and safety of customers, staff and your local community, including emergency evacuation
- Details of security arrangements, if necessary (how many, when, for how long etc)
- Transport options available to customers and staff, especially for intoxicated customers
- The principal activity that you will conduct on the premises
- The provision of food (types, when it will be available etc)

- Details of the maximum number of customers permitted on your premises
- Policies and procedures to manage employees, including details of how staff are trained
- A waste management plan, including processes for managing litter in and around the business
- A complaint-handling procedure
- Minimising the impact of amplified/outdoor entertainment on the surrounding locality.

Your Alcohol Management Plan should:

- Be dated and include clear headings and page numbers ([e.g.](#) 1 of 4)
- Include the contact details of your local Licensing Police
- Be easily accessible by staff.

Your Alcohol Management Plan should not:

- Include wording that may conflict with conditions imposed on your premises licence
- Include trading hours that may conflict with hours imposed on your premises licence.

### **Alcohol server training**

Alcohol-led venues will be expected to ensure that all bar staff are skilled in and responsible for:

- Identifying intoxicated and underage patrons
- Managing unruly patrons and incidents
- Understanding legislative provisions for service to intoxicated and underage patrons
- Requesting age identification
- Reducing patron frustration and agitation by effectively managing behaviour
- Prevention of proxy sales.

All staff at the premises receive comprehensive induction training prior to being authorised to sell alcohol, as well as regular refresher training that records the details of the training content, the date, the name and qualifications (if any) of the trainer, and the signatures of the trainer and trainee. Training to include:

- The nature of alcohol and its effects, as well as unit awareness
- What affects how quickly a person becomes drunk
- How over-service of alcohol impacts on the four objectives of the Licensing Act 2003
- The penalties for selling alcohol to a person who is drunk
- How to make a refusal
- How to record a refusal
- How to recognise drunkenness from a checklist of visible signs
- How to monitor for companions buying alcohol on behalf of a person who is drunk
- What to do with a vulnerable person and how to identify a medical emergency
- The premises policy to ensure that the premises operate legally and responsibly to prevent, identify and manage drunkenness
- Evidence that the trainee has gained knowledge/understanding of the training (for example, a test or quiz, completed and signed by the trainee).

## Disabled access and facilities statement

This plan should set out how accessible the venue is for disabled people. It is particularly important to consider that not all disabilities are obvious, and that disability extends beyond people with mobility difficulties and wheelchair users. Disabilities include:

- People with mental health problems and/or psychological difficulties
- People who are blind or partially sighted
- People with learning difficulties/disabilities
- People who are deaf or hard of hearing
- People who use British Sign Language
- People with long-term illnesses
- People with an acquired brain injury.

We encourage applicants for a Premises Licence to include a disabled access and facilities statement with their application. All premises are expected to provide accessible venue layouts that make venues welcoming and open to all, and the layout of the premises must enable the safe evacuation of all persons in the event of an emergency.

Other relevant considerations include:

- Accessible entrances: Ensure that all venues have wheelchair-friendly ramps, wide doorways, and level entrances, allowing for easy access for individuals with mobility impairments.
- Disability Awareness Training: Provide mandatory training for all staff members to educate them on disability etiquette, accessibility, and communication, ensuring that they can accommodate patrons with various disabilities effectively and respectfully.
- Accessible Restrooms: Install accessible restrooms with grab bars, wider doorways, and lower sinks, ensuring patrons with mobility impairments have the necessary facilities to use comfortably.
- Clear signage: Use large, easy-to-read signage in high-contrast colours, placed at an appropriate height, to help individuals with visual impairments navigate the venue easily.
- Inclusive communication: Offer alternative communication methods, such as Braille menus, large-print materials, and visual aids for patrons with hearing or visual impairments.
- Accessible seating: Provide an adequate number of accessible seating options, such as movable chairs and tables, allowing patrons with wheelchairs or other mobility aids to easily navigate and enjoy the space.
- Quiet zones: Designate specific areas within the venue as quiet zones, providing a more comfortable environment for patrons with sensory sensitivities or individuals who prefer lower noise levels.
- Assistance animals: Welcome assistance animals, such as guide dogs, and train staff to be knowledgeable about the role they play in supporting individuals with disabilities.
- Sensory-friendly events: Host regular sensory-friendly events that cater for patrons with sensory sensitivities, by reducing noise levels, dimming lights, and minimising strong scents.
- Website and online presence: Ensure that the venue's website and online presence are fully accessible, following Web Content Accessibility Guidelines (WCAG) 2.1, so that



patrons with disabilities can access information about the venue, including accessibility features and upcoming events.

- Transport and parking: Collaborate with local transport providers to ensure accessible transportation options to and from the venue. Provide designated accessible parking spots close to the entrance, with clear signage and sufficient space for wheelchair users.
- Continuous improvement: Establish a feedback mechanism for patrons to report accessibility issues, and regularly review and address this feedback to make continuous improvements to accessibility in the venue.

### Pre-opening checks

- ~~All exit doors must be unlocked and usable, All emergency doors must not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency.~~
- Any chains, padlocks or other fastenings must have been completely removed.
- Panic bolts and latches must be checked to ensure that they can be opened easily.
- There must be no obstructions, such as parked cars outside the doors or rubbish inside or outside exit doors.
- Escape routes must not be obstructed by furniture or rubbish.
- Any fire hazard, such as wastepaper or litter, must be removed.
- All fire exit signs must be lit and clearly visible, e.g. not obstructed by curtains or posters.
- Fire doors must be kept closed, as the purpose of a fire door is to make sure that fire is contained behind the door while customers and staff escape.
- Fire-fighting equipment, such as fire extinguishers and hose reels, must be in the positions stated by the fire authority and must be ready to use.
- Emergency lighting – emergency exits must be well lit, and checks should be made to ensure that exit routes, stairways and fire signs are properly lit. Exit signs must always be clearly visible.
- Public address/fire alarm systems – all public address systems and/or fire alarms must be checked and in working order.
- At the start and end of duty there must be security briefings to exchange information and intelligence.

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## Appendix E: Relevant information for residents and other persons on engaging in the licensing process

Residents and businesses can play a vital role in the licensing process, as it will be they who are most likely to be directly affected. This section provides useful information on understanding how to find out about applications and submit any comments (representations) in respect of them. Representations do not have to be objections and can be made in support of an application.

Without limitation, members of the local or broader community may have concerns in relation to such matters as:

- a. Undue disturbance to the neighbourhood of the proposed licensed premises caused by the operation of the premises and/or the conduct of patrons
- b. Alcohol-related antisocial behaviour or crime
- c. Alcohol-related hospitalisations and health problems
- d. Increases in pedestrian and motor-traffic numbers
- e. Road safety (including but not limited to incidents involving motorists, cyclists and pedestrians affected by alcohol)
- f. Contribution to domestic violence associated with alcohol consumption
- g. Litter and other pollution associated with the operation of the premises.

Other stakeholders may wish to identify the benefits of an application, which may include, without limitation:

- a. Increased social and recreational opportunities
- b. Addressing a shortage of entertainment venues in the relevant local or broader community
- c. Increased opportunities for live music and other artistic pursuits
- d. Increased employment and economic activity in the hospitality or tourism industries
- e. Employment in, or other opportunities for, the arts, community or cultural sectors
- f. Other benefits identified

When framing submissions, stakeholders should consider the likely effect that granting the application would have on the promotion of the four licensing objectives. The authority can only consider submissions that are relevant to them. Where this is not viable in cases where a party wishes to support an application, letters of support should be directed to the applicant, who may provide them as supplementary documentation in support of their application. In all cases, representations should relate to the impact arising from the operation of that premises.

1. The representation should explain why this proposal in this place at these hours will fail to promote the licensing objectives. (Therefore, it is important to read the whole of the application.)
2. The representation should link to the licensing objectives, e.g. 'the application will fail to promote the crime prevention objective because...'
3. The representation should refer specifically to any parts of this licensing policy that bear on the application.

4. The representation should explain whether the objection would be met if the proposal were to be revised (hours, conditions) and, if not, why not.
5. The representation should contribute relevant information, **e.g.** the proximity of residential areas or other sensitive uses, or a mounting problem of cumulative impact in the area.
6. The representation should avoid all contentious language and deal strictly with the issues.

All parties making relevant representations (including responsible authorities) are strongly encouraged to demonstrate any issues of concern and should avoid speculation and suggestion that cannot be shown happening either locally or through comparative examples. Responsible authorities are well placed to provide evidence of complaints and enforcement activity.

Further useful information and guidance can be found on the Council's website at [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing) and at <https://www.gov.uk/alcohol-licensing>

### Finding out about the application

Applicants for new licences and variations to existing licences are required to advertise the application in two ways, by:

1. Placing a notice at or on the premises
  - On A4 (or larger) pale blue paper (or on white paper, in the case of an application for a minor variation)
  - Printed legibly in black ink or typed in a font of at least 16 point
  - Placed prominently at or on the premises where it can be conveniently read from the exterior of the premises
  - Placed every 50 metres on the external perimeter of the premises abutting any highway (where applicable).
2. Placing a notice in a newspaper (not applicable for a minor variation)
  - Newspaper circulation must be in the vicinity of the premises (or if there isn't a local paper, in a local newsletter or circular)
  - Advertisement will be at least once in the ten days following the application being given to the licensing authority.

Both notices are required to give a brief description of the application.

A notice will also be published through the MyArea section on the Council's website ([www.manchester.gov.uk](http://www.manchester.gov.uk)) outlining key details in respect of an application, including:

- The name of the applicant or club
- The postal address of the applicant or club
- The postal address and, where applicable, the internet address where we keep our licensing register and where and when the record of the application may be inspected
- The date by which representations from responsible authorities or other persons should be received and how these representations should be made
- That it is an offence to knowingly or recklessly make a false statement in connection with an application, and the maximum fine (**i.e.** 'unlimited') for which a person is liable on summary conviction for the offence.

Additionally, the Licensing Unit provides email notifications of applications received by the licensing authority on a ward-by-ward basis. You can receive notifications by contacting the Licensing Unit (see Appendix 1), providing a valid email address, and confirming the wards you wish to receive notifications for. While the Licensing Unit will normally advise of all applications within the ward, the Council is not legally required to do so. This information is provided as a courtesy to members and residents and there may be occasions when notice is not provided. Therefore, it is good practice to regularly check the Council's register of licence applications and notices on premises in your local area.

## **The provision of representations ~~for~~ applicants and requesting anonymity**

The expectation is that all submissions and supporting documents in their original form will be provided for the applicant. However, we will not publicly publish the names, emails, phone numbers and residential apartment or street numbers of those who have made submissions in a personal capacity. Residential street names will be retained to identify the proximity of the submitter to the relevant premises.

If, for good reasons, persons making submissions do not wish their identities to be disclosed or the submissions published, they should advise the authority at the time of making submissions and explain why. The authority will consider whether there are good reasons to withhold this information. As an alternative to requiring anonymity, people may approach local councillors in case they are prepared to submit a representation in their own capacity. However, whether they do so is at their discretion.

### **Rejection of representations**

We may reject representations if it appears the representations are frivolous (lacking in seriousness) or vexatious (made repeatedly on the same or similar grounds). Where a representation is not accepted because it is frivolous or vexatious, we will give reasons why that is the case in writing. In such cases, our officers will make the determination, giving interested parties the benefit of the doubt where appropriate.

Decisions as to whether representations are irrelevant, frivolous or vexatious must be made objectively and not on the basis of any political judgement. Accordingly, our officers will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or sub-committees, giving the maker of the representation the benefit of the doubt. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case.

Where a representation is made that is not relevant to the promotion of the licensing objectives, we will aim to notify the person submitting it as soon as we can and direct them to relevant guidance, save where the consultation period has already ended.

## **The role of councillors**

Councillors can use their position to ensure that representations are made by their constituents, e.g. residents and businesses, residents' associations and Chambers of Commerce.

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They can use their powers to object in their own right. Obviously, objections should not be made for political motives.

If you have concerns regarding premises and do not wish to submit a representation yourself, an alternative is to contact your local councillor to enquire whether they will make a representation. However, it is a matter for members whether they accept, and it is recommended that such requests are made in writing so that any request can be clearly demonstrated.

Additionally, if you have made a representation, you can nominate any person, including a local councillor, to represent you at the hearing to determine the application. It is your responsibility to ensure that the nominated person is available and willing to represent you. As above, any request should be made in writing so that the licensing authority can be satisfied that the person has been nominated by you prior to any hearing.

### Problems with existing premises

[Section 15](#) of this Licensing Policy provides details of the enforcement approach by Manchester City Council, and there are a range of enforcement measures available for agencies that can be used depending on which is most appropriate for the issues to be addressed.

Any person who is experiencing noise problems related to licensed premises should report the issue online at [www.manchester.gov.uk](http://www.manchester.gov.uk)

At weekends, or at night (between 6pm and 9am) you can report the noise issue by phone to our Compliance Team on 0161 234 5004.

Issues of fighting, offensive behaviour or criminal behaviour should be reported to [Greater Manchester Police](#), using 999 where in progress or urgent.

To report issues with sales of age-restricted items to underage persons, you will need to report the matter via the [Citizens Advice Bureau](#) or to our Trading Standards officers on 0161 234 5004.

The licensing authority encourages licensed premises, residents and businesses to work together to achieve the promotion of the licensing objectives, and it can be constructive for residents to approach the manager of the licensed premises in the first instance. Alternatively, any problems can just be reported to the licensing authority for them to address with the premises on your behalf.

Additionally, any person can apply for a review of a licence (see [Section 14](#)).

### Petitions

While there is no prescribed format for petitions and the licensing authority has no power to prescribe the form of petitions, it is suggested that individuals may find the following format useful for petitions submitted in respect of a licence application.

Each page should include:

- The premises' name and address
- The details of the application

- The prayer of the petition, *i.e.* what the basis of it is
- The full name and address (in print) and signature of each person supporting the petition.

Appropriate weight will be given to petitions having regard to the above.

Petitions in respect of an application shall only be accepted if submitted by a responsible authority, a person who has made a relevant representation, or by the applicant. Where a petition is received, it shall be considered as support for the representation (or application) it was submitted with; the licensing authority will not consider each signatory as a representation and so shall not contact each individual signatory.

## Appendix F: Film classifications

Where a Premises Licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to films to be restricted in accordance with:

- Either the BBFC (British Board of Film Classification); or
- Where the film is not classified by the BBFC, any recommendations made by the licensing authority.

In accordance with the guidance issued under Section 182 of the Licensing Act 2003, the licensing authority shall concern itself primarily with the protection of children from harm when classifying films. It will not use its powers to censor films, where there is clear cause to believe this is required to promote the licensing objectives.

The licensing authority considers the classification system used by the BBFC to be nationally understood and accepted. Therefore, it will use this system as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). However, it should be noted that the licensing authority is not obliged to follow these guidelines.

Requests for certification by the licensing authority should be made at least 28 days in advance of the proposed screening date and submitted to the Licensing Unit. Requests should include:

- A physical copy of the film or link to a viewable copy online
- Details of any existing classification issued by an existing classification body, whether within or outside the UK
- A synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film
- Any recommendation(s) that may have been made by the filmmaker for the intended audience for exhibition of the film
- Proposed age certification by the applicant.

## Appendix G: Decision-making scheme of delegation

Matter to be dealt with	Licensing Committee	Licensing Subcommittee (Hearing Panel)	Officers
Application for a Personal Licence		If a police objection made and not withdrawn	If no unwithdrawn objection made
Application for personal licence with unspent convictions		If a police objection made and not withdrawn	If no unwithdrawn objection made
Application for Premises Licence / Club Premises Certificate		If relevant representation made and not withdrawn	If no unwithdrawn relevant representation made
Application for provisional statement		If relevant representation made and not withdrawn	If no unwithdrawn relevant representation made
Application to vary premises licence (under s34 of LA2003) / club premises certificate (under s84 of LA2003)			
Application to vary designated premises supervisor		If a police objection made and not withdrawn	All other cases
Request to be removed as designated premises supervisor			All cases
Application for the transfer of a premises licence		If a police objection made and not withdrawn	All other cases
Applications for interim authorities		If a police objection made and not withdrawn	All other cases
Application to review premises licence / club premises certificate		All cases	
Decision on whether a representation is irrelevant, frivolous, or vexatious			All cases

Decision on whether a ground for review is irrelevant, frivolous or vexatious			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary premises licence at community premises to include licence condition		If a police objection made and not withdrawn	All other cases
Determination of minor variation (under s41B of LA2003)			All cases
Decision whether or not to give consideration to revoke or suspend a personal licence, and to give notice to the licence holder following convictions or immigration penalties.			All cases
Decision to revoke or suspend a personal licence following convictions or immigration penalties		All cases	
Decision on whether there has been a material change of circumstances in cases of representations against any interim steps taken pending review			All cases

Note: Where no representations are received in respect of an application, the licensing officer will deal with the application under delegated authority without the need for a hearing.



## Appendix H: Glossary

This section explains the key terms used in the policy statement. These terms are all defined in the Licensing Act 2003 ('the Act') and Guidance.

This glossary is only intended to clarify the general meaning of each of the terms. The list is not exhaustive nor are the definitions legally comprehensive.

### ***Agent of Change***

The Agent of Change principle has been incorporated into the National Planning Policy Framework since 2018 and outlines that the entity responsible for introducing a change into the built environment carries the onus of mitigating the impacts of that change. Applied to city living and the night-time economy, Agent of Change would imply that a developer responsible for building a residential complex needs to 'design in' reasonable noise mitigation (e.g. sound insulation). Conversely, a late-night venue seeking to extend venue space or hours of live performance would need to ensure noise impacts are managed.

### ***Amplified music***

Amplified music means music or sound emitted from an amplification device, whether electrical, battery-powered or otherwise. This may include music amplified by speakers, sound systems, jukeboxes, radios, tape recorders, CD and DVD players, television sets and home-entertainment systems.

### ***Antisocial behaviour***

See <https://www.gmp.police.uk/advice/advice-and-information/asb/asb/antisocial-behaviour/what-is-antisocial-behaviour/>

### ***Applicant***

An applicant is a person making an application for a Premises Licence or Club Premises Certificate.

Where a Premises Licence holder wishes to amend the licence, in most cases the Act allows for an application to vary to be made, rather than requiring an application for a new Premises Licence.

### ***British Board of Film Classification (BBFC)***

This is the national body responsible for the classification of cinema films and videos.

### ***CCTV***

Closed Circuit Television

### ***Club Premises Certificate***

This is an authorisation needed by clubs to carry on certain activities (e.g. selling alcohol to members and their guests). It may be granted to clubs that meet the specific requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith and with special conditions where the club supplies alcohol to its members). These

commonly include ex-services clubs, such as the Royal British Legion, Conservative, Labour, and Liberal clubs, working men's clubs, miners' welfare institutions, and sports and social clubs. The application process is the same as for a Premises Licence; for example, there are similar provisions about advertising applications and making representations. However, a key difference is that, unlike a Premises Licence, there is no requirement to identify a Designated Premises Supervisor to allow the supply of alcohol under a Club Premises Certificate.

### **Cluster**

Night-time venues tend to cluster together. A good cluster is well serviced with a variety of options for activity and connectivity. Different clusters become prominent at various times of night and are increasingly understood and experienced as entertainment destinations.

We acknowledge three varieties of nightlife clusters that have differing planning and management requirements:

1. **Planned Cluster:** A self-sufficient planned arrangement of venues and spaces collectively targeting night-time leisure (e.g. Deansgate Locks, Printworks, Parrs Wood)
2. **Organic Cluster:** An unplanned grouping of venues around appropriate public spaces and facilities, often led by a cultural focus or leisure theme (e.g. Peter Street, the Gay Village, Cutting Room Square, Burton Road, Beech Road)
3. **Emerging Cluster:** A cluster currently growing in popularity as a destination, and progressively gathering additional cluster characteristics (e.g. First Street, King Street, Oldham Street)

### **Conditions**

Any limitations or restrictions attached to a licence or certificate. Essentially, they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will have to take, or not take, when licensable activities are taking place at the premises.

### **Councillor**

An elected member of the Council.

### **CSE**

Child Sexual Exploitation.

### **Dark kitchen**

Hot-food delivery businesses, where meals are typically ordered online and there is no access to the public.

### **Designated Premises Supervisor (DPS)**

The Designated Premises Supervisor (commonly referred to as the 'DPS') is a Personal Licence holder specified in the Premises Licence. All premises licensed to sell alcohol will have an identified Personal Licence holder, known as the Designated Premises Supervisor. Their purpose is to ensure there is always one specified individual who can be identified as a person in a position of authority on the premises.

***District centres***

This is a term taken from Manchester's Core Strategy to define localities. Manchester's centre hierarchy forms the city centre: 17 district centres and 24 local centres. All district centres, while at the same level in the hierarchy, perform a role and function reflecting the needs of their local community. Local centres are important in providing sustainable smaller-scale shopping and community facilities for local residents.

***Door supervisors***

Door supervisors are responsible for the safety and security of customers and staff in venues such as pubs, bars, nightclubs, other licensed premises, and at public events.

***Guidance/Section 182 Guidance***

Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue, and from time to time may revise, guidance to licensing authorities on the discharge of their functions under the 2003 Act. The guidance is provided for licensing authorities carrying out their functions. It also provides information for magistrates hearing appeals against licensing decisions and has been made widely available for the benefit of operators of licensed premises, their legal advisers and the public. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country, and for promoting fairness, equal treatment and proportionality.

***Irresponsible promotions***

An irresponsible promotion is one that encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children.

***Late-night refreshment***

The provision of late-night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am, or the supply of hot food or hot drink to anyone between 11pm and 5am, on or from premises to which the public has access. However, there are several exemptions in Schedule 2 of the Licensing Act 2003 (e.g. vending machines in certain circumstances, where the hot food or hot drink is supplied free of charge, or where it is supplied by a registered charity).

***Licensable activities***

Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated entertainment, and the provision of late-night refreshment. If you carry on any of these activities, you are likely to need an authorisation (a Premises Licence, a Club Premises Certificate, or a Temporary Event Notice).

***Licensee***

Generally, licensee refers to the holder of a Premises Licence, but also includes in this policy an applicant for a Premises Licence or applicant for a provisional statement unless otherwise stated.

**Licensing Act 2003**

The Licensing Act 2003 became law on 24 November 2005. The Licensing Act 2003 (the Act) introduced a single licence scheme for licensed premises that:

- Supply alcohol
- Provide regulated entertainment
- Provide late-night refreshment.

**Licensing authority**

This refers to Manchester City Council as the body responsible for licensing under the Act.

**Licensing objectives**

Licensing authorities must carry out their functions with a view to promoting four licensing objectives. Each objective is of equal importance. These are:

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

**Licensing Policy**

See Statement of Licensing Policy

**Licensing register**

Every licensing authority must keep a register holding a record of all Premises Licences, Club Premises Certificates and Personal Licences issued by it and Temporary Event Notices received by it, as well as various other matters set out in Schedule 3 of the 2003 Act. Full details of the information that must be contained in the licensing authority register can be found on the DCMS (Department for Digital, Culture, Media and Sport) [website](#). You can inspect the licensing authority's register of licences during office hours without charge.

**Licensing Subcommittee**

The Council's Licensing Committee delegates several of its functions to one or more Licensing Subcommittees. These comprise three members of the full Licensing Committee.

**Mandatory conditions**

The 2003 Act provides for mandatory conditions to be included in every licence and/or Club Premises Certificate relevant to the supply of alcohol, exhibition of films, and provision of door supervisors. See Section 10 of the Section 182 Guidance for details.

**Minor variation**

Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am; or · increase the amount of time on any day during which alcohol may be sold or supplied for consumption on

or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

### ***NITENET***

This is a radio communication network linking licensed premises in the city centre.

### ***Operating schedule***

The operating schedule is the part of the application form for a Premises Licence or Club Premises Certificate where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities. Among other things, it must include a description of the proposed licensable activities, the proposed opening hours and times for licensable activities, the proposed duration of the licence or certificate, and a statement of the steps the applicant proposes to take to promote the licensing objectives (e.g. arrangements for door security to prevent crime and disorder). The significance of the operating schedule is that if the application for the Premises Licence or Club Premises Certificate is granted, it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them.

### ***PACT kits***

Public Access Trauma first aid kits. Created by experts in medicine, first aid and counter-terrorism policing, Public Access Trauma (PACT) first aid kits are designed to save lives by being kept in public places to which the public have access. These first aid kits, for use by any person regardless of their level of training, support the treatment of life-threatening injuries and will significantly enhance an organisation's first aid preparedness, increase the first aid resilience among the public and, ultimately, improve the survivability of a person with life-threatening injuries.

### ***Personal Licence***

A Personal Licence authorises an individual to supply alcohol, or authorise the supply of alcohol, in accordance with a Premises Licence or a Temporary Event Notice. Not everybody who works in licensed premises will need to hold a Personal Licence; however, all premises licensed to sell alcohol will have an identified Personal Licence holder, known as the Designated Premises Supervisor. In addition, all supplies of alcohol under a Premises Licence must be made or authorised by a person who holds a Personal Licence.

### ***Premises Licence***

A Premises Licence authorises the use of premises for licensable activities.

### ***Provisional statement***

This 'statement' can be applied for where premises are being or about to be constructed for licensable activities. It will give the owner some reassurance about whether a licence would be granted if the premises were built as set out in the application for the provisional statement. However, a provisional statement is not an authorisation, so the relevant permission must still be obtained to carry on licensable activities.

**Public Space Protection Order (PSPO)**

Public Space Protection Orders are used by local authorities to deal with the problems of antisocial alcohol drinking in public places. Once a PSPO is in place the police can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is. This power has been replaced by Public Space Protection Orders (PSPOs), which were brought in under the Antisocial Behaviour, Crime and Policing Act 2014. A PSPO specifies an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. PSPOs impose conditions or restrictions on people using that area. See [Public Space Protection Orders \(PSPOs\) | Manchester City Council](#) for further information

**Qualifying clubs**

Qualifying clubs are those clubs that meet the specific requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is set up and conducted in good faith, and special conditions where the club supplies alcohol to its members). These are clubs where members join for a particular social, sporting or political purpose and then combine to buy alcohol in bulk for its members (see examples under Club Premises Certificate above). Such clubs carry on activities from premises to which public access is restricted and where alcohol is supplied other than for profit.

**Regulated entertainment**

The provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:

- The performance of a play
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to live music, recorded music or dance.

Schedule 1 of the Licensing Act 2003 has further specific rules about where the definition of regulated entertainment applies. These rules concern the intended audience and whether the regulated entertainment is for profit. Section 16 of the Section 182 Guidance provides an overview of the circumstances in which entertainment is licensable and when it is exempt.

**Relevant entertainment**

This is any form of adult entertainment defined and licensed under the Local Government (Miscellaneous Provisions) Act 1982. It is defined as any live performance or any live display of nudity that can 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). Examples include lap dancing, pole dancing, table dancing, strip shows, peep shows, and live sex shows.

**Relevant representation**

The term 'relevant' refers to representations (see above) that are considered valid by the licensing authority. The representations must be made within 28 days after the day on which the application is given, and if made by a person other than a responsible authority, must be made seriously (i.e. must not be frivolous or vexatious).

**Representation**

These are written representations about the likely effect of the grant of an application for, a variation to, or a review of, a Premises Licence or Club Premises Certificate, on the promotion of the licensing objectives. Any persons, such as residents, businesses and responsible authorities, including Environmental Health, can make representations. Representations can be in support of or against an application.

**Responsible authorities**

Responsible authorities include public bodies that must be notified of applications and are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a Premises Licence or Club Premises Certificate. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. Responsible authorities include the following for the area in which the premises are situated:

- The licensing authority
- The chief officer of police
- The fire authority
- The planning authority
- The health authority
- The Health and Safety authority
- The Environmental Health authority
- The body recognised as being responsible for the protection of children from harm:
- Inspectors of Weights and Measures (Trading Standards officers)
- In respect of vessels only: i) The Environment Agency; ii) The British Waterways Board; iii) The Maritime and Coastguard Agency; and (if different from these) iv) The relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.

**Review**

Interested parties, including residents, can request a review of a particular Premises Licence when problems occur that are related to the licensing objectives. Following the review, the licensing authority can consider a range of responses, such as suspending or revoking the licences, excluding certain licensable activities, or changing conditions attached to a licence. However, it can only take these actions where they are appropriate to address the problem and promote one or more of the four licensing objectives.

There is also an Expedited Review process, which is only available for the police to use. This process enables the licensing authority to consider the imposition of interim steps in advance of the review hearing.

***Risk assessment***

The overall process of identifying all the risks to and from an activity and assessing the potential impact of each risk.

***Sexual entertainment venue***

A sexual entertainment venue is separately licensed under the Local Government (Miscellaneous Provisions) Act 1982 to provide 'relevant entertainment' (see above) before a live audience for the financial gain of the organiser or the entertainer, subject to some exemptions.

***SGSA***

Sports Grounds Safety Authority

***Statement of Licensing Policy***

Every licensing authority will publish a Statement of Licensing Policy every five years. This will set out the general approach the licensing authority will take when making licensing decisions.

***Temporary Event Notice***

This is the notice that organisers of small-scale temporary events must give to make it a 'permitted temporary activity'. This notice must be in a prescribed form. There are certain limitations imposed on this system.

***Variation***

An application made to amend the licensable activities, hours and/or conditions of a premises licence or club premises certificate. Minor amends can be applied for by way of a 'minor variation' (see above).



# Appendix I: Crime and Antisocial Behaviour data (by policy area)

## Victim-based crime, 12-month periods, October to September, 2019 to 2022

Occurred between 10pm and 6am; not including offences flagged as domestic abuse.

Crime totals and crime density by square kilometre of area.

Location	2019/20 total	2020/21 total	2021/22 total	2019/20 incident density	2020/21 incident density	2021/22 incident density
Printworks/Exchange Square/Victoria	233	183	501	938	736	2014
Ancoats and New Islington Regeneration Framework	146	156	206	293	312	413
Northern Quarter	457	294	750	1991	1281	3263
Central Retail District	406	290	622	1348	963	2067
Piccadilly Gardens	441	402	468	4107	3745	4362
Spinningfields	56	39	90	560	392	903
Civic Squares (Peter, Albert, Lincoln)	103	70	127	1179	802	1447
Granada (now St John's)	22	8	36	198	74	326
Chinatown	55	39	118	2370	1680	5124
Peter Street	503	228	1049	3604	1633	7508
Village	487	314	1135	5857	3782	13662
Castlefield	95	64	122	327	222	422
Deansgate Locks	301	103	394	6735	2295	8826
First Street	16	12	28	439	333	794
Deansgate Square	80	60	114	1386	1034	1957
Oxford Road	763	506	1068	703	467	984
Rusholme	233	247	370	626	663	995
Levenshulme	114	149	166	210	276	306
Fallowfield	116	207	256	458	819	1010

Location	2019/20 total	2020/21 total	2021/22 total	2019/20 incident density	2020/21 incident density	2021/22 incident density
Chorlton	159	157	218	130	129	179
Withington	162	179	194	379	417	453
Burton Road	96	74	91	209	161	198
Didsbury	38	41	72	138	151	264
Northenden	51	36	51	197	139	196

### Broad Victim-based crime types by area

Zone	Crime type	2019/20	2020/21	2021/22	Total
Ancoats and New Islington Regeneration Framework	Acquisitive crime	107	87	128	322
Ancoats and New Islington Regeneration Framework	Criminal damage/Arson	17	27	27	71
Ancoats and New Islington Regeneration Framework	Offence against person	20	36	47	103
Ancoats and New Islington Regeneration Framework	Theft from person	3	5	4	12
Burton Road	Acquisitive crime	77	58	48	183
Burton Road	Criminal damage/Arson	8	7	13	27
Burton Road	Offence against person	11	9	27	48
Burton Road	Theft from person	0	0	3	3
Castlefield	Acquisitive crime	58	21	69	148
Castlefield	Criminal damage/Arson	13	9	13	35
Castlefield	Offence against person	19	29	35	83
Castlefield	Theft from person	5	5	5	15
Central Retail District	Acquisitive crime	169	103	209	480
Central Retail District	Criminal damage/Arson	23	34	42	99
Central Retail District	Offence against person	119	118	274	511

Zone	Crime type	2019/20	2020/21	2021/22	Total
Central Retail District	Theft from person	95	35	97	228
Chinatown	Acquisitive crime	11	12	22	45
Chinatown	Criminal damage/Arson	1	2	5	8
Chinatown	Offence against person	27	18	74	119
Chinatown	Theft from person	16	7	17	39
Chorlton	Acquisitive crime	91	89	123	303
Chorlton	Criminal damage/Arson	19	24	23	66
Chorlton	Offence against person	44	43	71	157
Chorlton	Theft from person	4	2	2	8
Civic Squares (Peter, Albert, Lincoln)	Acquisitive crime	31	8	35	74
Civic Squares (Peter, Albert, Lincoln)	Criminal damage/Arson	6	10	10	27
Civic Squares (Peter, Albert, Lincoln)	Offence against person	38	32	64	134
Civic Squares (Peter, Albert, Lincoln)	Theft from person	27	20	19	66
Deansgate Locks	Acquisitive crime	48	18	61	127
Deansgate Locks	Criminal damage/Arson	7	2	7	16
Deansgate Locks	Offence against person	105	53	251	409
Deansgate Locks	Theft from person	140	29	75	245
Deansgate Square	Acquisitive crime	22	21	45	88
Deansgate Square	Criminal damage/Arson	6	5	7	18
Deansgate Square	Offence against person	25	22	41	88
Deansgate Square	Theft from person	26	12	21	59
Didsbury	Acquisitive crime	20	20	37	77
Didsbury	Criminal damage/Arson	7	11	13	32
Didsbury	Offence against person	10	10	22	42
Didsbury	Theft from person	0	0	1	1
Fallowfield	Acquisitive crime	35	58	89	183
Fallowfield	Criminal damage/Arson	11	31	29	71
Fallowfield	Offence against person	55	98	119	272
Fallowfield	Theft from person	15	20	19	54
First Street	Acquisitive crime	4	3	10	16
First Street	Criminal damage/Arson	2	1	2	5

Zone	Crime type	2019/20	2020/21	2021/22	Total
First Street	Offence against person	8	6	15	29
First Street	Theft from person	2	2	2	6
Granada (now St John's)	Acquisitive crime	15	3	23	40
Granada (now St John's)	Criminal damage/Arson	0	1	5	6
Granada (now St John's)	Offence against person	6	3	6	15
Granada (now St John's)	Theft from person	1	1	3	5
Levenshulme	Acquisitive crime	47	65	87	198
Levenshulme	Criminal damage/Arson	17	20	19	56
Levenshulme	Offence against person	46	59	58	163
Levenshulme	Theft from person	4	6	2	12
Northenden	Acquisitive crime	30	18	16	64
Northenden	Criminal damage/Arson	7	6	22	35
Northenden	Offence against person	13	12	12	38
Northenden	Theft from person	0	0	0	0
Northern Quarter	Acquisitive crime	168	105	253	526
Northern Quarter	Criminal damage/Arson	45	37	30	111
Northern Quarter	Offence against person	167	126	336	629
Northern Quarter	Theft from person	77	27	131	235
Oxford Road	Acquisitive crime	266	149	319	734
Oxford Road	Criminal damage/Arson	66	40	78	184
Oxford Road	Offence against person	225	245	483	953
Oxford Road	Theft from person	207	72	187	467
Peter Street	Acquisitive crime	142	61	271	474
Peter Street	Criminal damage/Arson	8	17	31	56
Peter Street	Offence against person	119	86	462	667
Peter Street	Theft from person	235	64	284	583
Piccadilly Gardens	Acquisitive crime	99	62	98	259
Piccadilly Gardens	Criminal damage/Arson	29	20	24	72
Piccadilly Gardens	Offence against person	224	258	260	742
Piccadilly Gardens	Theft from person	89	62	86	237
Printworks/Exchange Square/Victoria	Acquisitive crime	73	54	107	233

Zone	Crime type	2019/20	2020/21	2021/22	Total
Printworks/Exchange Square/Victoria	Criminal damage/Arson	21	32	23	77
Printworks/Exchange Square/Victoria	Offence against person	115	88	297	500
Printworks/Exchange Square/Victoria	Theft from person	24	9	74	106
Rusholme	Acquisitive crime	78	105	163	345
Rusholme	Criminal damage/Arson	24	18	36	77
Rusholme	Offence against person	115	92	150	357
Rusholme	Theft from person	17	32	22	71
Spinningfields	Acquisitive crime	33	15	37	85
Spinningfields	Criminal damage/Arson	2	3	6	11
Spinningfields	Offence against person	14	18	37	69
Spinningfields	Theft from person	6	3	10	19
Village	Acquisitive crime	111	60	214	385
Village	Criminal damage/Arson	9	10	21	40
Village	Offence against person	197	161	620	977
Village	Theft from person	170	84	280	534
Withington	Acquisitive crime	88	71	73	233
Withington	Criminal damage/Arson	21	34	29	84
Withington	Offence against person	49	69	83	201
Withington	Theft from person	5	4	9	18

## Antisocial behaviour incidents, 12-month periods, October to September 2019 to 2022

Occurred between 10pm and 6am; incidents not including COVID-19-related flags, totals and incident density.

Location	2019/20 total	2020/21 total	2021/22 total	2019/20 incident density	2020/21 incident density	2021/22 incident density
Printworks/Exchange Square/Victoria	96	53	89	386	213	358
Ancoats and New Islington Regeneration Framework	51	60	40	102	120	80
Northern Quarter	199	129	109	866	562	475
Central Retail District	102	56	87	339	186	289
Piccadilly Gardens	178	107	102	1,659	997	951
Spinningfields	8	9	14	81	91	141
Civic Squares (Peter, Albert, Lincoln)	32	12	23	366	137	263
Granada (now St John's)	13	4	5	116	36	45
Chinatown	11	9	8	477	390	347
Peter Street	89	52	133	637	372	952
Village	137	58	140	1,649	698	1,685
Castlefield	43	34	36	149	118	124
Deansgate Locks	68	23	62	1,522	515	1,388
First Street	12	4	4	337	112	112
Deansgate Square	26	40	28	448	690	483
Oxford Road	203	173	194	187	159	179
Rusholme	118	94	79	317	253	212
Levenshulme	50	39	30	92	72	55
Fallowfield	42	45	33	166	178	130
Chorlton	46	42	39	38	34	32
Withington	79	68	38	184	159	89
Burton Road	24	20	7	52	43	15
Didsbury	27	16	11	98	58	40
Northenden	14	6	9	54	23	35

### Antisocial incidents including COVID-19-related flags, totals and incident density

Location	2019/20 total	2020/21 total	2021/22 total	2019/20 incident density	2020/21 incident density	2021/22 incident density
Printworks/Exchange Square/Victoria	99	62	89	398	249	358
Ancoats and New Islington Regeneration Framework	82	76	40	165	152	80
Northern Quarter	231	153	109	1006	666	475
Central Retail District	104	62	87	346	206	289
Piccadilly Gardens	185	112	102	1724	1044	951
Spinningfields	8	9	14	81	91	141
Civic Squares (Peter, Albert, Lincoln)	32	12	23	366	137	263
Granada (now St John's)	14	5	5	125	45	45
Chinatown	11	11	8	477	477	347
Peter Street	91	57	133	651	408	952
Village	143	60	140	1721	722	1685
Castlefield	59	46	36	204	159	124
Deansgate Locks	69	26	62	1545	582	1388
First Street	13	4	4	366	112	112
Deansgate Square	42	71	28	724	1224	483
Oxford Road	219	201	194	202	185	179
Rusholme	129	113	79	347	304	212
Levenshulme	56	46	30	103	85	55
Fallowfield	55	66	33	217	261	130
Chorlton	55	54	39	45	44	32
Withington	116	83	38	271	194	89
Burton Road	35	21	7	76	46	15
Didsbury	29	19	11	106	69	40
Northenden	15	6	9	58	23	35

## Victim-based crime counts, October 2021 to September 2022

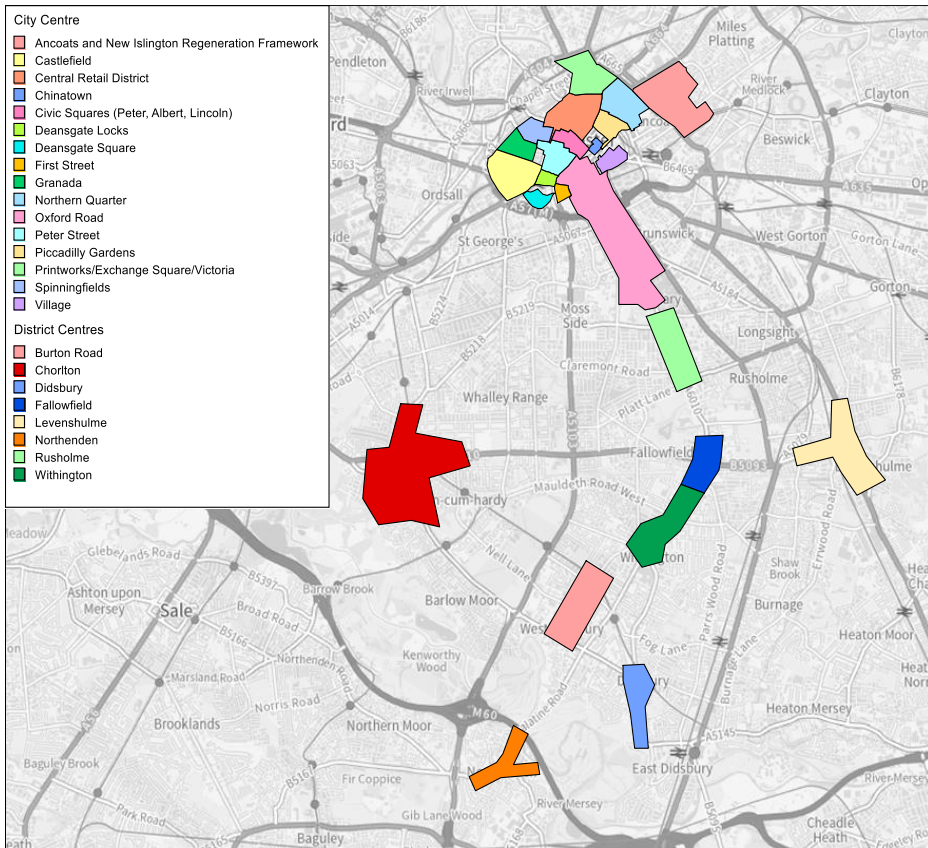
Area	5pm to 7pm	6pm to 10pm	9pm to 1am	Midnight to 6am
Printworks/Exchange Square/Victoria	118	255	297	344
Ancoats and New Islington Regeneration Framework	71	134	125	149
Northern Quarter	112	226	403	556
Central Retail District	467	567	353	462
Piccadilly Gardens	264	387	346	310
Spinningfields	25	43	59	57
Civic Squares (Peter, Albert, Lincoln)	38	76	83	86
Granada (now St John's)	8	23	22	23
Chinatown	11	26	59	92
Peter Street	64	176	459	855
Village	35	99	357	970
Castlefield	27	78	84	80
Deansgate Locks	14	38	153	324
First Street	5	14	15	21
Deansgate Square	20	39	54	88
Oxford Road	231	423	474	854
Rusholme	84	194	239	239
Levenshulme	57	101	108	115
Fallowfield	48	116	157	178
Chorlton	93	169	155	132
Withington	82	140	125	133
Burton Road	31	66	55	67
Didsbury	35	89	64	51
Northenden	14	39	30	40



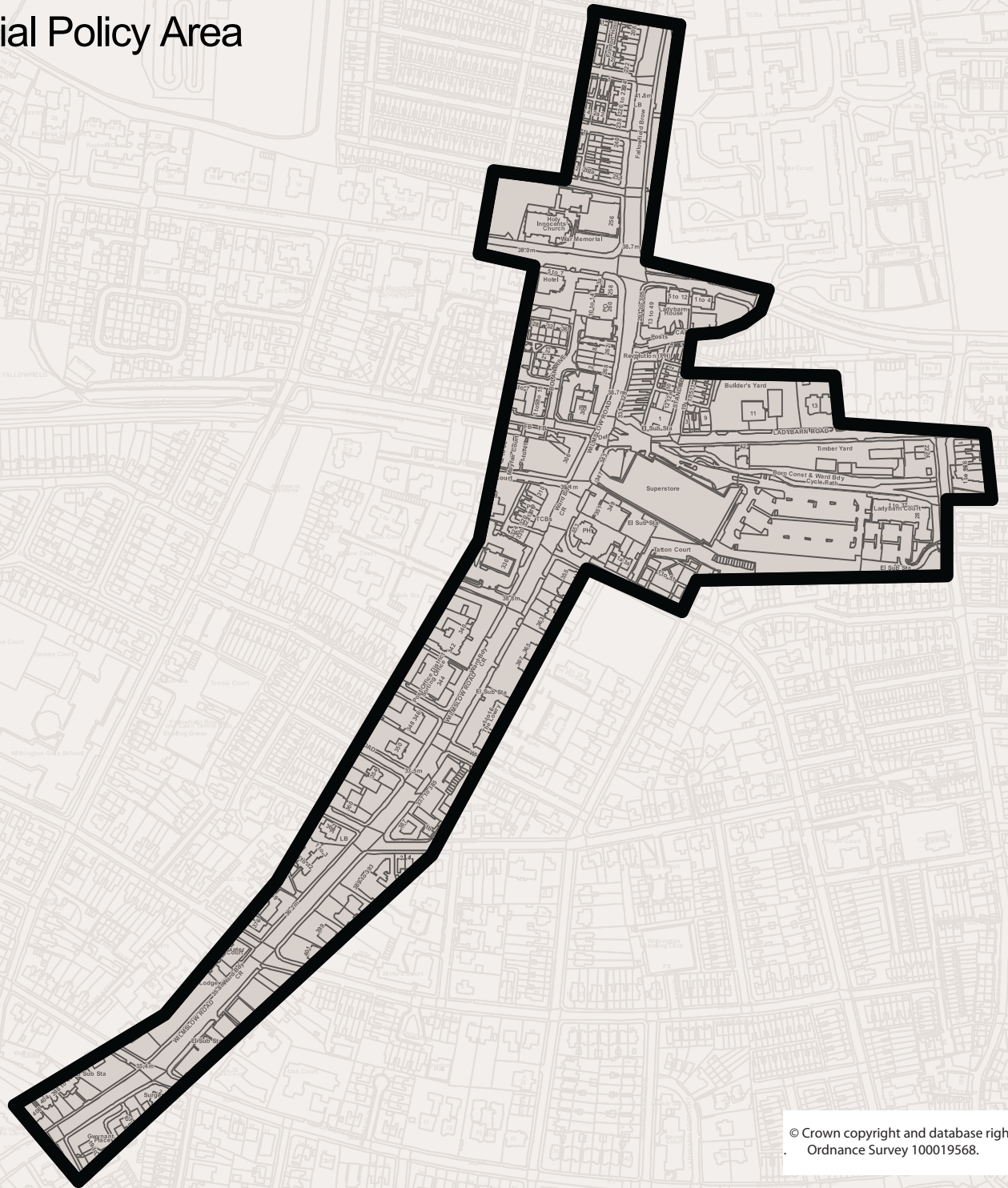
## Antisocial behaviour counts, October 2021 to September 2022

Area	5pm to 7pm	6pm to 10pm	9pm to 1am	Midnight to 6am
Printworks/Exchange Square/Victoria	33	53	48	69
Ancoats and New Islington Regeneration Framework	16	39	28	25
Northern Quarter	25	54	57	83
Central Retail District	63	93	48	58
Piccadilly Gardens	33	75	56	76
Spinningfields	3	9	8	10
Civic Squares (Peter, Albert, Lincoln)	20	25	17	14
Granada (now St John's)	1	3	6	3
Chinatown	5	5	4	6
Peter Street	8	23	58	102
Village	11	18	45	113
Castlefield	9	18	27	19
Deansgate Locks	2	5	17	51
First Street	1	2	1	4
Deansgate Square	11	18	17	19
Oxford Road	36	75	95	148
Rusholme	23	55	58	49
Levenshulme	12	24	20	20
Fallowfield	12	20	22	23
Chorlton	12	23	30	23
Withington	22	40	30	21
Burton Road	11	12	6	3
Didsbury	21	23	13	4
Northenden	5	10	8	6

**Maps of area crime and antisocial behaviour analysis**

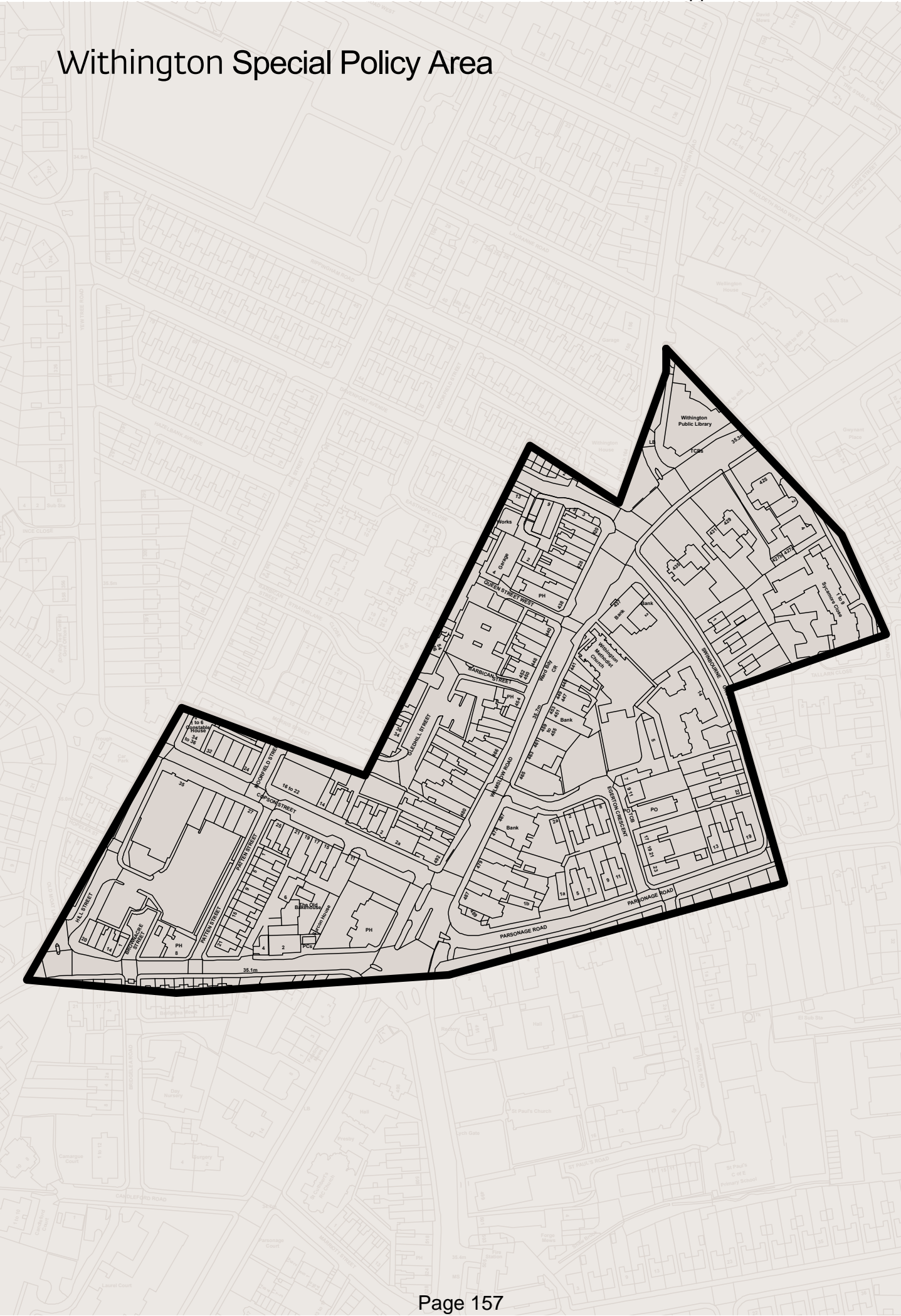


# Fallowfield Special Policy Area



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# Withington Special Policy Area



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