



## **Licensing Committee**

Date: Monday, 8 March 2021  
Time: 10.00 am  
Venue: <https://vimeo.com/517131115>

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus)  
(Flexibility of Local Authority and Police and Crime Panel Meetings)  
(England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

To attend this meeting it can be watched live as a webcast. The recording of the meeting will also be available for viewing after the meeting has closed.

## **Membership of the Licensing Committee**

**Councillors** - Ludford (Chair), Grimshaw (Deputy Chair), Andrews, Chohan, Evans, Flanagan, Hassan, Hewitson, Hughes, Jeavons, Lynch, Madeleine Monaghan and Reid

## Agenda

---

- 1. Urgent Business**  
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**  
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**  
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes** 5 - 6  
To approve as a correct record the minutes of the meeting held on 30 November 2020.
- 5. Premises Licensing – Annual Report 2020** 7 - 24  
The report of the Head of Planning, Building Control and Licensing is enclosed.
- 6. Premises Licensing - General Update** 25 - 32  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

---

The Licensing Committee fulfils the functions of the Licensing Authority in relation to the licensing of premises for the sale or supply of alcohol, the provision of regulated entertainment, and the provision of late night refreshment (hot food or hot drink provided at any time between 11pm and 5am) and in relation to the Gambling Act.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

---

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

Ian Hinton Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This agenda was issued on **Friday, 26 February 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

This page is intentionally left blank

## **Licensing Committee**

### **Minutes of the meeting held on Monday, 30 November 2020**

**Present:** Councillor Grimshaw – in the Chair

**Councillors:** Andrews, Chohan, Hassan, Hewitson, Hughes, Jeavons, Lyons, Madeleine Monaghan and Reid

**Apologies:** Councillor Evans, Ludford and Lynch

#### **LHP/20/6 Minutes**

The minutes of the meeting held on 27 October 2020 were submitted for approval.

#### **Decision**

To approve as a correct record the Minutes of the Licensing Committee meeting held on 27 October 2020.

#### **LHP/20/7 Update of Model Conditions**

The Committee were informed by the Principal Licensing Officer that the report was not yet ready for submission and would be presented at a future Licensing Committee meeting.

#### **Decision**

To withdraw the item from consideration.

This page is intentionally left blank

**Manchester City Council  
Report for Information**

**Report to:** Licensing Committee – 8 March 2021

**Subject:** Licensing (Premises) applications between 1 January and 31 December 2020

**Report of:** Head of Planning, Building Control & Licensing

**Summary**

To inform the Committee of decisions made in relation to applications managed by the Premises Licensing Team.

**Recommendations**

That Members note the report.

**Wards Affected: All**

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing

	<p>applications. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm. The Gambling Act's objectives are preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable persons from being harmed or exploited by gambling.</p>
<p>A connected city: world class infrastructure and connectivity to drive growth</p>	<p>Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.</p>

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

---

#### **Financial Consequences – Revenue**

None

#### **Financial Consequences – Capital**

None

---

#### **Contact Officers:**

Name: Danielle Doyle  
 Position: Licensing Unit Manager  
 E-mail: danielle.doyle@manchester.gov.uk

Name: Fraser Swift  
 Position: Principal Licensing Officer  
 E-mail: fraser.swift@manchester.gov.uk

---

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



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

## 1.0 Introduction

1.1 This report provides the Licensing Committee with information on the decisions taken in respect of premises licence applications. The information included within the report provides an overview in respect of the full range of premises licensing but the majority of the applications relate to premises involved in the sale of alcohol.

## 2.0 Background

2.1 As Members are aware the Premises Licensing Team is responsible for the administration of licence applications submitted in respect of the Licensing Act 2003 and the Gambling Act 2005.

2.2 Under these Acts, when no representations are made against an application, the application must be granted as applied for and authority to do this is delegated to officers.

2.3 Where a representation is made (and not withdrawn) against a licensing application, it must be considered by a Sub-Committee, which acts under delegated authority from the Licensing Committee. If agreement is reached between the applicant for the licence and those persons who have made representations, upon withdrawal of all representations the matter is granted under delegated authority by officers. Where any representations remain outstanding, the application is decided by the Sub-Committee following a public hearing.

2.4 Beyond the Licensing Act 2003 and Gambling Act 2005, the Premises Licensing Team is responsible for a range of other licensing regimes including animal-based activities such as pet shops, tables and chairs on the highway, street trading, scrap metal dealers, and juvenile employment (see Section 5).

2.5 This report provides Members of the Licensing Committee with information on all applications considered not only by the Licensing Sub-Committees but also those granted under delegated authority by officers.

## 3.0 Licensing Act 2003

3.1 The Licensing Act 2003 covers premises providing the following licensable activities:

- The sale or supply of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

### New Premises Licences

3.2 During the period, the Licensing Authority determined a total of 128 new premises licence applications, 124 of which resulted in licences being granted. This compares to 161 new premises licence applications which were determined in 2019, a drop of approximately 20%.

- 3.3 Of the 124 granted licences granted in 2020, 52 were granted by way of determination as agreement was reached between all parties and 14 licences were granted following hearings by the Licensing Sub-Committee. 58 new premises licence applications received no relevant representations and were granted by officers under delegated authority.
- 3.4 Just under half (44%) of all new licences granted in the city were in the Deansgate (18.5%) and Piccadilly (25%) wards, covering the city centre. 7% of new licences granted were in the neighbouring ward of Ancoats and Beswick, all of which were in line with the Special Policy for Ancoats and New Islington introduced in July 2018. Percentages of licences granted in the rest of the wards were nominal.
- 3.5 Four applications were refused by Licensing Sub Committee Hearing Panels:

3.6 **Ariana Restaurant, 113 Wilmslow Road (Rusholme Ward)**

Representations were received from GMP and the Council's Licensing and Out of Hours team in relation to the lack of information provided in the operating schedule and related concerns about the applicant's understanding of the Licensing objectives.

Due to the Applicant's lack of understanding of the licensing objectives and that the premises had failed test purchases for late night refreshment, the Committee considered that it was appropriate and proportionate to refuse the application.

3.7 **Premises name not confirmed, 23 Shudehill (Piccadilly Ward)**

Representations were received from the Council's Licensing and Out of Hours team. It was submitted that the premises had applied to trade as a 'Sports & Coffee bar', however, hadn't applied for late night refreshment or regulated entertainment. The licensing objective to protect children from harm had not been addressed. Concerns were also raised over a complaint received about underage sales and during subsequent visits by the LOOH team, people were found to be drinking alcohol on the premises.

Due to the applicant's lack of knowledge and understanding of licensing measures the Committee had no confidence that she would comply with all conditions placed on a licence and that she would manage these premises effectively in a way which upheld the Licensing Objectives. The Committee therefore considered it necessary and appropriate to refuse the application.

3.8 **Cafe Kilombo, 43 Kenyon Lane (Moston Ward)**

Representations were received from GMP, the Council's Licensing and Out of Hours team and one local resident. The objections related to risk of nuisance and antisocial behaviour from the operation of the premises. It was further noted that alcohol was displayed for purchase prior to any authorisation to do so had been granted.

The Committee had no confidence in the applicant's ability to run premises or uphold the licensing objectives based on the management of the premises over the preceding two years. They therefore refused the application.

### 3.9 **Dixy Chicken, 5a Wilbraham Road (Fallowfield Ward)**

This venue was situated within the Fallowfield cumulative impact special policy area and received representations from GMP, the Council's Licensing and Out of Hours and Premises Licensing teams, a Ward Member, 3 residents' groups and 9 local residents. The objections included grounds that the premises would add to the cumulative impact of public nuisance and antisocial behaviour within the area.

The Committee considered that if the premises was open later this would add to the noise and litter in the area from fast food takeaways. Although the applicant had put forward some proposals the Committee considered these were vague and did not have sufficient detail, the Committee did not think these measures had been fully considered by the Applicant and therefore the Committee did not consider there were any exceptional reasons to cause it to depart from the policy and considered it appropriate to refuse the application in order to safeguard the aims of the policy.

3.10 No appeals were made in respect of any of these decisions.

**Table 1 – Premises Licences (New)**

Total applications	124
Granted by Determination	52
Granted by LSC Decision	14
Granted by Officers following no representations	58
Refused	4

### Premises Licence Variations

3.11 A total of 120 applications for the variation of licensable activities of premises licences were determined, compared to 158 during the preceding year. 46 were 'full' variations under s34 of the Act and 74 were minor variations under s41a.

3.12 43 of the 'full' variations were granted; 15 were determined where agreement was reached between all parties, and 3 at hearings by the Licensing Sub-Committee. 25 'full' variations were granted by officers under delegated authority.

3.13 One appeal was made in respect of these decisions, against that of the New Union Hotel, Princess Street and the matter was scheduled at the Magistrates' Court on 7<sup>th</sup> January 2021.

3.14 Three 'full' variations were refused at hearings by the Licensing Sub-Committee:

### 3.15 **Eva, 27 Sackville Street, (Piccadilly Ward)**

This application sought to extend hours for licensable activities to 0500 Sunday to Thursday. The application was refused because the Sub-Committee considered that they could not grant it without undermining the licensing objectives, specifically, the prevention of public nuisance.

- 3.16 **Krispy Fried Chicken and Shake House, 106 Mauldeth Road (Withington Ward)**  
This application sought to extend hours for licensable activities to 0400 Monday to Sunday. The Committee was not satisfied that a further extension of the hours for this premises which is situated within a quiet residential area would not undermine the licensing objective of prevention of public nuisance. The Committee therefore considered it appropriate to refuse the application.
- 3.17 **Aftab's, 1 Bonsall Street (Hulme Ward)**  
This application sought to extend hours for licensable activities to 0030 Monday to Sunday. The Committee was concerned that the Applicant had not proposed any extra measures to be implemented to mitigate any noise problems in the later hours. The Committee was therefore satisfied that if the application for variation was granted that residents would suffer greater noise disturbance in the hours applied for and therefore considered it appropriate to refuse the application on the grounds of the prevention of public nuisance.
- 3.18 One appeal was made in respect of these decisions, against that of Eva, 27 Sackville Street but was withdrawn by the appellant prior to the court date.
- 3.19 In respect of the 74 minor variation applications received, 69 were granted as it was considered that the variation proposed could not adversely impact upon the licensing objectives.
- 3.20 Five minor variations were refused as it was considered that the proposed variation could adversely impact upon the promotion of the licensing objectives:
- 3.21 **Mahiki, 1 Central Street (Deansgate Ward)**  
This application sought to amend a condition in relation to last entry times and received objections from GMP and the Licensing and Out of Hours Compliance Team. It was refused on the grounds that the proposed change could have negatively impacted on the promotion of the licensing objectives.
- 3.22 **Akbar Balti Restaurant, 73-83 Liverpool Road (Deansgate Ward)**  
This application sought to add sale of alcohol via delivery and received a number of representations from local residents. The application was rejected in light of the concerns raised.
- 3.23 **Slug & Lettuce, 62-66 Deansgate (Deansgate Ward)**  
This application sought to temporarily amend and remove conditions of the premises licence in respect of collections and deliveries during the temporary road closure parts of Deansgate and received a number of representations from local residents. The application was rejected in light of the concerns raised.
- 3.24 **Marble Arch, 73 Rochdale Road (Piccadilly Ward)**  
This application sought to amend the plan attached to the licence by adding a roof terrace area. Following a representation from a local resident, the application was refused as it was perceived that granting it could have negatively impacted on the promotion of the licensing objectives.

**3.25 The Midland Hotel, Peter Street (Deansgate Ward)**

This application sought to vary the layout of the licensed area in accordance with the plan submitted with the application. The alterations were not considered “minor” and the application was therefore refused as it was perceived that there could have been an adverse impact on the licensing objectives.

**Table 2 – Premises Licences (Variations)**

Total applications	120
Granted by Determination	15
Granted by LSC Decision	3
Granted by Officers following no representations	25
'Full' Variations refused	3
Decisions Appealed	1
Minor Variations granted	69
Minor Variations refused	5

Temporary Event Notices

- 3.26 A standard temporary event notice (TEN) must be submitted no later than ten working days before the event period begins, whereas a late TEN can be submitted no later than five working days, but no earlier than nine working days, before the day the event period begins.
- 3.27 A total of 516 TENs were acknowledged by the Licensing team, of which 349 were standard TENs and 167 were late TENs. This is in comparison to 963 standard TENs acknowledged in 2019 and 438 late TENs in 2019, a reduction of approximately 60%.
- 3.28 In respect of the remaining 2 standard TENs, one received objections from the Licensing and out of Hours Compliance Team and one from both the Licensing and Out of Hours Compliance Team and GMP. Both TENs were allowed to proceed following a hearing, one modified by the Licensing Sub-Committee and one without change.
- 3.29 Two TENs which attracted objections from both the Licensing and Out of Hours Compliance Team and GMP proceeded to hearing and counter notices were issued in respect of both.
- 3.30 Counter notices were issued by Licensing Officers in respect of 21 late TENs following objections from the Licensing and Out of Hours Compliance Team and or GMP.

**Table 3 – Temporary Event Notices**

	Standard TENs	Late TENs	Totals
Acknowledged by Officers	349	167	516

TEN modified	0	-	0
Counter Notice served	2	21	23
Conditions added by sub-committee	1	-	1
Counter Notice not served, no conditions	1	-	1
Objection withdrawn prior to hearing	0	-	0

#### Premises Licence Transfers

- 3.31 A total of 167 applications to transfer a premises licence were received, all of which were granted by officers under delegated authority as no objections were received from Greater Manchester Police. This is in comparison to 214 applications granted in 2019.

#### Variation of the Designated Premises Supervisor

- 3.32 A total of 327 applications to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003 were received, all of which were granted by officers under delegated authority as no objections were received from Greater Manchester Police. This is in comparison to 535 granted in 2019.

#### Interim Authority Notices

- 3.33 A premises licence lapses following the death, incapacity or insolvency of the holder. A person who has a prescribed interest in the premises concerned, or is connected to the former licence holder, may, during the period of 28 days beginning with the day after the day the licence lapses, give an "interim authority notice" to the licensing authority to temporarily re-instate the licence for a maximum period of up to 3 months from the day the notice was given. The premises licence lapses again at the end of the 3-month period, unless a transfer application is made to the licensing authority during that time.
- 3.34 One Interim Authority Notices under the Licensing Act 2003 was received.

#### Premises Licence Reviews

- 3.35 Three standard premises licence were review applications were received during the period.
- 3.36 **Han Dynasty, 61-63 Whitworth Street (Piccadilly Ward)**  
Submitted by Licensing Out of Hours Compliance Team for various instances of the licensing objectives being undermined but subsequently withdrawn.
- 3.37 **European Mini Market, 762 Stockport Road (Longsight Ward)**  
Submitted by the Licensing Out of Hours Compliance Team because of illicit tobacco sales, absent designated premises supervisor and lack of communication from licence holder. The licence was revoked.
- 3.38 **Abdul's, 240 Lightbowne Road (Moston Ward)**

Submitted by Trading Standards following a failed test purchase during which tobacco was sold to a child under the age of eighteen. The licence was revoked.

### Premises Licence Summary Reviews

- 3.39 Five summary review applications were received from Greater Manchester Police. Only the police are entitled to make summary review applications on the basis that a premises licensed to sell alcohol is associated with serious crime, serious disorder, or both. The summary review process requires the licensing authority to consider, within 48 hours of received an application, whether interim steps are required pending the full review of the licence.

3.40 **Indigo, 457-459 Wilmslow Road (Withington Ward)**

The application was submitted as a result of multiple stabbings at a memorial event at the premises, during a memorial event which had attracted members of several local organised crime groups. The licence was suspended as an interim step pending the full review hearing.

At the final review hearing, the Committee were advised by the Licensing and Out of Hours Compliance Team that they had been in liaison with the Premises Licence Holder and an agreement had been reached whereby a number of additional conditions would be attached to the premises licence, (subject to the Committee's approval). The Committee was satisfied the conditions were necessary and proportionate and upheld the licensing objectives.

Ten additional conditions were attached to the licence and two existing conditions were modified.

3.41 **Mahiki, 1 Central Street (Deansgate Ward)**

This review was submitted following visits to the premises during which GMP found the venue to be operating in the style of a nightclub, with a loud music played by a DJ, vertical drinking and customers moving between tables and not socially distancing. At the time of the visits, nightclubs were prohibited from operating under Coronavirus legislation in order to help prevent the spreading of the virus. The licence was suspended at the interim steps hearing.

At the full review hearing, the committee were satisfied that revocation of the licence was necessary and proportionate and the licence was duly revoked.

This review was one of the first to be made nationally for Coronavirus-related offences.

This decision to revoke was appealed by the premises licence holder although this was subsequently dismissed by the court following the failure of the appellant to comply with the Court's directions. The court awarded the council its costs in full of £2,411.

3.42 **The Queen's Arms, 6 Honey Street (Cheetham Ward)**

Staff at North Manchester General Hospital had contacted GMP following the victim of a stabbing being admitted. The victim was found to have been stabbed



at the Queen's Arms but the incident had not been reported to GMP by staff at the premises. The licence was suspended at the interim steps hearing.

AT the final review hearing, the committee noted the serious nature of the incident and that the attack was being investigated by GMP as an attempted murder. The Committee was concerned that the premises had not called the police to this incident but was even more concerned that the premises did not call an ambulance to give medical attention to the injured patron.

The Committee therefore considered that the person operating the premises has no regard for the licence conditions or the licensing objectives and therefore in all the circumstances it is appropriate to revoke the licence and necessary to keep the interim step of suspension of the licence in place.

### 3.43 **The Valley, Glendower Drive (Harpurhey)**

This review was in relation to a large-scale incident at the premises, which began with numerous calls from local residents reporting quad bikes in the area and fighting at the premises. Police attended and were met by a violent crowd who threatened them and threw bottles at them causing them to withdraw and await further patrols. A mass brawl occurred outside during which 2 males were attacked with knives and received significant injuries. The males later presented at Manchester Royal Infirmary. Several windows were smashed at the premises during the incident.

The premises licence was suspended at the interim steps hearing and the suspension was subsequently lifted after a representation by the premises licence holder against the interim steps.

At the final review hearing, the committee accepted that the violence was not due to the mismanagement of the committee and amended 7 conditions attached to the licence as agreed between GMP and the licence holder.

### 3.44 **Three Legs of Man, 402 Stretford Road (Hulme Ward)**

GMP had been advised that a customer at the premises was in possession of a firearm. The customer in question was asked to leave but subsequently returned and was served a drink. A quantity of bullets were discovered at the premises and the handgun was recovered following an arrest. The DPS was removed from the licence at the interim steps hearing.

At the review hearing, having taken all of the representations into account, including that GMP and LOOH did not think revocation was appropriate, the Committee were satisfied that the conditions agreed with the PLH and the responsible authorities, as amended and strengthened by the Committee, were appropriate and proportionate and should be added to the licence in order to ensure the licensing objectives are upheld at the premises. The DPS was not reinstated.

### Surrendered / Lapsed Licences

- 3.45 42 premises licences were surrendered by the respective licence holders compared to 60 in the previous year.
- 3.46 24 licences lapsed due to insolvency of the licence holders, compared to 28 in the previous year.

#### Personal Licences

- 3.47 A total of 247 applications for personal licences were received. All were granted under delegated authority by officers as no objections were received from Greater Manchester Police. This is in comparison to 333 applications granted during 2019.
- 3.48 No personal licences were surrendered.

#### **4.0 Gambling Act 2005**

- 4.1 The Gambling Act 2005 came fully into force in September 2007. It introduced a new system of licensing and regulation for commercial gambling which, amongst other changes, gave licensing authorities new and extended responsibilities for licensing premises for gambling.

#### Premises Licences

- 4.2 Premises licences granted by the Licensing Authority may authorise the provision of facilities on:
- casino premises;
  - bingo premises;
  - betting premises, including tracks;
  - adult gaming centres; and
  - family entertainment centres.
- 4.3 Except in the case of tracks e.g. greyhound racing track such as Belle Vue (where the occupier of the track who gets the premises licence may not be the person who actually offers the gambling), premises licences may only be issued to people with a relevant gambling operating licence (issued by the Gambling Commission). For example, to obtain a bingo premises licence the applicant must hold a bingo operating licence. Premises licences are transferable to someone else holding a valid operating licence.

#### New Premises Licences

- 4.4 One new premises licence application was received during the period, in respect of Merkur Slots Bingo, 44-46 Portland Road (Longsight Ward). This was granted by delegated authority as no representations were received.

#### Premises Licence Variations

- 4.5 One premises licence variations were received and granted under delegated authority by officers as no objections were received during the period, in respect of Napoleon's Casino, 57 Portland Street (Piccadilly Ward). The application

sought to change the layout of the premises in accordance with the plan submitted with the application.

#### Premises Licence Reviews

- 4.6 There were no reviews of any premises licences under the Gambling Act 2005.

#### Transfer of a Gambling Premises Licence

- 4.7 There were no applications to transfer a premises licence under the Gambling Act 2005.

#### Surrendered / Lapsed / Revoked Licences

- 4.8 Two premises licences granted under the Gambling Act 2005 were surrendered, in respect of one betting shop and one adult gaming centre. No premises licence lapsed or were revoked.

#### Permits / Notifications / Small Society Lotteries

- 4.9 The 2005 Act introduced a range of permits for gambling that are granted by licensing authorities. Permits are required when premises provide a gambling facility but either the stakes or prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.
- 4.10 Holders of alcohol-licensed premises gaming machine permits and club permits are required to comply with codes of practice, drawn up by the Commission, on the location and operation of machines.
- 4.11 The following are the various permits that the licensing authority is responsible for issuing:
- Part 24 – family entertainment centre gaming machine permits
  - Part 25 – club gaming permits and club machine permits
  - Part 26 – alcohol-licensed premises gaming machine permits
  - Part 27 – prize gaming permits
- 4.12 It is only possible to grant or reject an application for a permit as no conditions may be attached to a permit.
- 4.13 There were no applications for Alcohol Licensed Premises Gaming Machine Permits during this period.
- 4.14 One application for a Club Gaming and Machine Permit was granted by the Licensing Authority, for Beech House Bowling and Social Club, Ross Avenue (Levenshulme Ward).
- 4.15 Licensing authorities are also responsible for receiving, from holders of alcohol-licensed premises (under the 2003 Act), notifications that they intend to exercise their automatic entitlement to two gaming machines in their premises under

section 282 of the Act. Such applications are made to the authority upon the expiry of the 3-yearly permit issued under the previous licensing regime.

- 4.16 During the period, 10 notifications under section 282 was received and acknowledged by the Premises Licensing team.
- 4.17 The Gambling Act 2005 requires the local authority to register non-commercial societies who wish to conduct fund-raising lotteries. It is possible to refuse a registration based on certain criteria as defined in the Act. One example is if the Authority is not satisfied the society in question cannot be deemed non-commercial.
- 4.18 Twelve registrations to conduct a small society lottery were received and granted.

**Table 4 – Permits and Notifications (GA2005)**

Permit Type	Total (granted)
Alcohol Licensed Premises Gaming Machine Permit (more than 2 machines) (new permit)	0
Alcohol Licensed Premises Gaming Machine Permit (more than 2 machines) (variation to existing permit)	0
Alcohol Licensed Premises Gaming Machine Notification (1 or 2 machines)	10
Club Gaming and Machine Permits	1
Family Entertainment Centre Gaming Machine Permits	0
Small Society Lottery Registration	12
Transfer of Licensed Premises Gaming Machine Permit	0

#### 5.0 Other miscellaneous licences

- 5.1 The Premises team is responsible for a range of other licences and permits that are listed below:

**Table 5 – Other Permits and Licences granted**

Permit / Licence Type	Total (granted)
Animal Licence	3
Chaperone Registration	14
Hairdresser Registration	17

House to House Collection Licence	9
Hypnotism Licence	0
Juvenile Employment Licence	366
Juvenile Employment Work Permit	0
Leaflet Distribution Permit	51
Performing Animals Registration	0
Personal / Practitioner Registration (body piercing, tattooing, ear piercing, electrolysis)	48
Premises Registration (body piercing, tattooing, ear piercing, electrolysis)	108
Scrap Metal Licence (new)	5
Second-Hand Goods Registration	22
Sex Establishment Licence	0
Street Collection Permit	39
Street Trading Consent	59
Street Trading Licence (new)	10
Tables and Chairs on the Highway (new)	15
Tables and Chairs on the Highway (renewal)	99
Pavement Licence applications	188

## 6.0 Impact of Coronavirus

6.1 The landscape has changed significantly in the last twelve months and the Premises Licensing team have adapted to new ways of working to ensure service delivery is met in response to the global pandemic. Our officers are currently working remotely, save for occasional visits to the office to collect and process applications which have been posted or hand-delivered.

As the impact of the pandemic saw a reduction in the number of applications received, our team used the opportunity to undertake projects that would have otherwise been delayed, including:

- A review of all our live, web-based application forms
- A review of all our procedures in relation to the processing of applications

- A review of our paper version of applications to ensure accessibility requirements are met
  - Existing data quality and integrity checking prior to migration to new software systems
  - Identification of records for purging in line with our document retention schedule
- 6.2 Licensing sub-committee hearings have transformed and are now entirely facilitated remotely. The convening panel and attendees are provided with links to a Zoom meeting which can be accessed by members of the public to observe.
- 6.3 Numerous changes to legislation came about in response to the pandemic, often at very short notice and any changes that affected the licensed trade were communicated by our team to premises licence holders.

### **Premises closures**

Save for a brief period during the summer, on-licensed premises such as pubs and bars which do not serve substantial meals have remained closed since March 2020. Premises which were previously allowed to open to the public because of the government's Tier structure also closed except for click and collect or delivery services during Lockdown.

### **Pavement Licences**

The pavement licence scheme was introduced on 22 July 2020 and provides a streamlined consent route to allow businesses such as cafes, bars and restaurants to obtain a licence to place temporary furniture, such as tables and chairs, on the public highway adjacent to their premises (see table at 5.1).

### **Off-Licence Extensions**

The provisions of the Business and Planning Act 2020 temporarily modify the Licensing Act 2003 to provide an automatic extension to the terms of most premises licences which only permit the sale of alcohol for consumption on the premises to allow the sale of alcohol for consumption off the premises. The new off-sales permission 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 in so far as they are inconsistent with the new off-sales permission.

## **7.0 Contributing to the Community Strategy**

### **A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities**

- 7.1 Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling

businesses to thrive and maximise contribution to the economy of the region and sub-region.

**A highly skilled city: world class and home grown talent sustaining the city's economic success**

- 7.2 An effective Licensing Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives

**A progressive and equitable city: making a positive contribution by unlocking the potential of our communities**

- 7.3 The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm. The Gambling Act's objectives are preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable persons from being harmed or exploited by gambling.

**A liveable and low carbon city: a destination of choice to live, visit and work.**

- 7.4 An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

**A connected city: world class infrastructure and connectivity to drive growth**

- 7.5 Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.

**8.0 Key Policies and Considerations**

**8.1 Legal Considerations**

All applications have to be processed in accordance with the requirements of their respective legislation. The Licensing Act 2003 and Gambling Act 2005 are prescriptive in terms of who should be consulted on applications and the timescales that have to be applied.

**9.0 Conclusion**

- 9.1 The report provides the Committee with statistical information regarding premises licensing applications processed between 1 January and 31 December 2020. The information provides Members with an update and

overview of the number of applications being processed and the decisions made in respect of those applications.



**Manchester City Council  
Report for Information**

**Report to:** Licensing Committee – 8 March 2021

**Subject:** Licensing Update

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

---

**Summary**

The report provides the Licensing Committee with a topical update on licensing issues.

**Recommendations**

That Members note the report.

---

**Wards Affected:**

All

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
---

None
------

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.

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

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

#### **Financial Consequences – Revenue**

None

#### **Financial Consequences – Capital**

None

#### **Contact Officers:**

Name: Danielle Doyle  
Position: Licensing Unit Manager  
E-mail: danielle.doyle@manchester.gov.uk

Name: Fraser Swift  
Position: Principal Licensing Officer  
E-mail: fraser.swift@manchester.gov.uk

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

None

## 1.0 Introduction

1.1 The report provides the Licensing Committee with a topical update on matters relevant to licensed premises under the Licensing Act 2003.

## 2.0 Coronavirus

2.1 The Government has announced the 'roadmap' out of coronavirus restrictions. There will be a minimum of five weeks between each step: four weeks for the data to reflect changes in restrictions; followed by seven days' notice of the restrictions to be eased:

<https://www.gov.uk/government/publications/covid-19-response-spring-2021/covid-19-response-spring-2021-summary>

2.2 Of particular relevance to licensing (dates below are the earliest that may be permitted):

12 April: Hospitality venues can serve people outdoors only. There will be no need for customers to order a substantial meal with alcohol, and no curfew - although customers must order, eat and drink while seated. Drive-in cinemas and drive-in performances will also be permitted.

17 May: Outdoor performances such as outdoor cinemas, outdoor theatres and outdoor cinemas can reopen.. Indoors, the rule of 6 or 2 households will apply - although the government will keep under review whether it is safe to increase this.

Indoor hospitality, entertainment venues such as cinemas and soft play areas, the rest of the accommodation sector, and indoor adult group sports and exercise classes will also reopen.

Larger performances and sporting events in indoor venues with a capacity of 1,000 people or half-full (whichever is lower) will also be allowed, as will those in outdoor venues with a capacity of 4000 people or half-full (whichever is lower).

In the largest outdoor seated venues where crowds can spread out, up to 10,000 people will be able to attend (or a quarter-full, whichever is lower).

21 June: It is hoped to reopen nightclubs, and lift restrictions on large events and performances that apply in Step 3, as well as all other legal limits on social contact lifted

2.3 Each stage will be subject to review and the four conditions that must be met at each phase of lockdown easing are:

- The coronavirus vaccine programme continues to go to plan
- Evidence shows vaccines are sufficiently reducing the number of people dying with the virus or needing hospital treatment

- Infection rates do not risk a surge in hospital admissions
- New variants of the virus do not fundamentally change the risk of lifting restrictions

### 3.0 **Government consultation on Protect Duty**

- 3.1 The government has launched a consultation to consider how we can work together to develop proportionate security measures to improve public security. It also considers how those responsible for publicly accessible locations are ready and prepared to take appropriate action, were a terrorist attack to happen.
- 3.2 This consultation is open to the public, and is targeted at venues, organisations, businesses, local and public authorities, and/or individuals who own or operate at publicly accessible locations or others that a 'Protect Duty' would potentially affect.
- 3.3 A publicly accessible location is defined as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 3.4 Publicly accessible locations include a wide variety of licensed premises including sports stadiums; festivals and music venues; hotels; pubs; clubs; bars and casinos; as well as everyday locations such as: high streets; retail stores; shopping centres and markets; schools and universities; medical centres and hospitals; places of worship; Government offices; job centres; transport hubs; parks; beaches; public squares and other open spaces.
- 3.5 The consultation is split into 4 sections:
- Section 1: Who (or where) should legislation apply to?
  - Section 2: What should the requirements be?
  - Section 3: How should compliance work?
  - Section 4: How should Government best support and work with partners?
- 3.6 The consultation runs for 18 weeks until 2 July 2021 and can be accessed at: <https://www.gov.uk/government/consultations/protect-duty>

### 4.0 **APPG Report on COVID-19 and UK Nightlife**

- 4.1 Led by Jeff Smith MP, the All-Party Parliamentary Group (APPG) for the Night Time Economy was established to recognise the night time economy sector has been disproportionately affected by the pandemic and yet also had very little representation in Parliament. The APPG launched an inquiry to produce industry-led recommendations, to harness the collective voice of the sector and to elevate the personal views, struggles and stories of those passionate about nightlife.

- 4.2 In February, the APPG published its report to be presented to the Government:  
<https://www.ntia.co.uk/wp-content/uploads/2021/02/APPG-Inquiry-Covid-19-and-UK-Nightlife-no-watermark.pdf>
- 4.3 Amongst the key findings of the APPG report are:
- Without urgent government support, nightlife businesses face 'extinction' that will see urban centres become 'ghost towns' and hobble wider economic recovery.
  - 85% of people working in the sector are considering leaving the industry.
  - 78% of all employees in the sector had at some point been on furlough.
  - Businesses in the night time economy had on average made 37% of their total workforce redundant - nightclubs: 51%; bars: 32%; pubs: 26%; live music venues: 36%; supply chain businesses: 40%.
  - In the second half of 2020, businesses in the night time economy traded at an average of 28% of their annualised pre-Covid turnover - nightclubs: 20%; bars: 32%; pubs: 43%; live music venues: 28%; supply chain businesses: 19%.
  - Only 36% of self-employed nightlife workers have been able to claim the Self Employment Income Support Scheme (SEISS).
- 4.4 The report calls on the Prime Minister and Chancellor to take a series of measures if the sector is to have a chance of recovering to its pre-pandemic strength, thereby playing an integral role in the night-time economy's wider economic recovery. The recommendations to Government set out in the report are:

#### **Trading**

- Review the hospitality curfew and trading restrictions following the end of lockdown.
- Introduce a charter for businesses to pledge they are Covid-secure, drive consumer confidence, and tackle non-compliance.
- Introduce a government campaign to encourage consumer demand when safe to do so.
- Extend the furlough scheme/flexi-furlough for the sector until it can reopen at full capacity.

#### **Employment**

- Extend the eligibility period to allow those employed by the end of December to continue to be furloughed.
- Consider uprating reference pay periods for those on or around minimum wage.
- Introduce a government campaign to encourage workers to stay in the industry and support with training programmes following the loss of experience and talent.
- Provide a sector-specific grant scheme for businesses in the sector relating to the size and operating costs of each business.

#### **Standing costs**

- Extend the Business Rates Relief, VAT deferral and maintain the 5% VAT rate for businesses in the sector until 2022.
- Extend the forfeiture moratorium and introduce a government-backed 'shared burden' solution to the backdated payment of rent.

### **Grants**

- Work with devolved administrations to streamline the standardisations of funds across the UK to prevent regional disparity.
- Increase the accessibility and transparency of financial support by reviewing metrics used to allocate grants and supporting businesses with the application process.

### **Insurance**

- Provide an active support service to assist businesses in claiming insurance entitlements from providers.
- Introduce a government-backed insurance scheme to prepare the sector for effective recovery when safe operation is allowed.

### **Freelancers**

- Review exclusions within the eligibility of the SEISS
- Provide training opportunities for those in the sector post-pandemic.
- Officially recognise that supply chain businesses have been forced to close and provide the relevant financial support.

### **Roadmap**

- Produce a clear and transparent 'roadmap' to recovery for nightlife, with necessary steps and conditions for safe reopening.
- Supply chain
- Officially recognise that supply chain businesses have been forced to close and provide the relevant financial support.

### **Recovery**

- Create a government taskforce to advance the full reopening of nightlife, sanctioning a series of pilot schemes and models for full capacity restart.
- Appoint a Night-Time Economy adviser to Government and protect the Agent of Change principle.

## **5.0 New SIA training requirements**

5.1 The SIA have announced changes to the training requirements for front line SIA licences start in April and October 2021:

5.2 1st April 2021:

- updated qualifications will be introduced for all sectors except Close Protection;
- applicants will be required to have a first aid qualification before applying for a Door Supervisor or Security Guard licence.

5.3 1st October 2021:

- Updated Close Protection qualifications will be introduced.
  - Applicants will be required to have one of the new qualifications or take top-up training before applying for a Door Supervisor and Security Guard licence – this includes renewals.
  - First aid requirements also apply to renewals
- 5.4 The first aid qualification must be an Emergency First Aid at Work qualification or equivalent. “Equivalent” qualifications are defined as those that comply with the relevant guidance from the Health and Safety Executive. Some examples are:
- First Aid at Work (FAW)
  - First Person on Scene (FPOS)
  - First Response Emergency Care (FREC)
- 5.5 Training that is critical for all sectors has been moved to the ‘common unit’ (taken by all security operatives) and includes new training on:
- terror threat awareness
  - dealing with emergencies
- 5.6 New sector-specific content has been added – for example:
- the close protection course includes new material on physical intervention
  - the door supervision course includes new material on the use of equipment such as body worn video recorders and breathalysers
  - the public space surveillance (CCTV) course includes new material on CCTV operational procedures and the law
  - the security guarding course includes new material covering personal safety
- 5.7 The number of practical elements in the training has also been increased to help learners reinforce their knowledge. The practical assessments include:
- searching
  - dealing with conflict
  - report/statement writing
  - using communications devices
- 5.8 The SIA website states that the changes are required to make sure that people working in the private security industry can:
- keep the public safe
  - follow new working practices
  - understand recent changes to the law
  - make the best use of new technology
- 6.0 **Review of the Gambling Act 2005**
- 6.1 The Culture Secretary has launched a wide ranging review of the current gambling legislation to consider online stake and spend limits, advertising and marketing rules and the powers of the Gambling Commission.

- 6.2 The Government said it “wants all those who choose to gamble in Great Britain to be able to do so in a safe way” stating the aim of the review is to ensure “up to date legislation and protections, with a strong regulator with the powers and resources needed to oversee a responsible industry that offers customer choice, protects players, provides employment, and contributes to the economy.”
- 6.3 Through this Review, the government’s objectives are to:
- Examine whether changes are needed to the system of gambling regulation in Great Britain to reflect changes to the gambling landscape since 2005, particularly due to technological advances.
  - Ensure there is an appropriate balance between consumer freedoms and choice on the one hand, and prevention of harm to vulnerable groups and wider communities on the other.
  - Make sure customers are suitably protected whenever and wherever they are gambling, and that there is an equitable approach to the regulation of the online and the land-based industries.
- 6.4 This Call for Evidence will close at midnight on Wednesday 31st March 2021.
- 7.0 **Key Policies and Considerations**
- 7.1 None.
- 8.0 **Conclusion and decisions**
- 8.1 Members are asked:
- i. If there are any points they wish to respond to the Call for Evidence on the review of the Gambling Act 2005, as set out in Section 5.
  - ii. To note the report.