



## **Licensing Committee**

Date: Monday, 9 September 2019

Time: 10.00 am

Venue: The Council Antechamber, Level 2, Town Hall  
Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

## **Membership of the Licensing Committee**

**Councillors** - Ludford (Chair), Grimshaw (Deputy Chair), Andrews, Evans, Flanagan, Hassan, Hughes, Jeavons, T Judge, Lynch, Lyons, McHale, Madeleine Monaghan, Reid and Stone

## Agenda

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- 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 4 March 2019.
- 5. Licensing (Premises) applications between 1 January 2018 and 31 December 2018** 7 - 22  
Report of the Head of Planning, Building Control & Licensing  
  
This report informs the Committee of decisions made in relation to applications managed by the Premises Licensing Team.
- 6. Licensing update report** 23 - 28  
Report of the Head of Planning, Building Control & Licensing  
  
This report provides the Licensing Committee with a brief overview of topical information relevant to premises licensing functions of the licensing authority.

## Information about the Committee

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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

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

Beth Morgan  
Tel: 0161 234 3043  
Email: [b.morgan@manchester.gov.uk](mailto:b.morgan@manchester.gov.uk)

This agenda was issued on **Friday, 30 August 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA



## **Licensing Committee**

### **Minutes of the meeting held on Monday, 4 March 2019**

**Present:** Councillor Ludford (Chair) – in the Chair

**Councillors:** Grimshaw, Chohan, Evans, Hassan, Hughes, Jeavons, Lynch, McHale, Madeleine Monaghan, Reid, Stone and Paul

**Apologies:** Councillor Barrett and T Judge

#### **LHP/19/10. Minutes**

To approve as a correct record the minutes of the meeting held 22 October 2018.

#### **Decision**

To approve as a correct record the minutes of the meeting held 22 October 2018.

#### **LHP/19/11. Compliance Report Qtr 1 2018/19**

This item was withdrawn prior to the meeting.

#### **LHP/19/12. Compliance Report Qtr 2 2018/19**

This item was withdrawn prior to the meeting.

#### **LHP/19/13. Compliance Report Qtr 3 2018/19**

This item was withdrawn prior to the meeting.

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**Manchester City Council  
Report for Information**

**Report to:** Licensing Committee – 9 September 2019

**Subject:** Licensing (Premises) applications between 1 January 2018 and 31 December 2018

**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 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 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

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

None

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

None

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#### **Contact Officers:**

Name: Danielle Doyle  
Position: Licensing Unit Manager  
Telephone: 0161 234 4962  
E-mail: d.doyle@manchester.gov.uk

Name: Fraser Swift  
Position: Principal Licensing Officer  
Telephone: 0161 234 1176  
E-mail: f.swift@manchester.gov.uk

**Background documents (available for public inspection):** None



## **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 119 new premises licence applications, 112 of which resulted in licences being granted.
- 3.3 Of the 112 granted licences, 42 were granted by way of determination as agreement was reached between all parties and 28 licences were granted following decisions made by the Licensing Sub-Committee. 42 new premises licence applications were granted by officers under delegated authority.
- 3.4 Just over half of all new licences granted in the city were in the Deansgate (35%) and Piccadilly (17%) 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 Seven applications were refused following hearings:

3.6 **Off Licence, 71 Halliwell Lane (Cheetham ward)**

Representations were received from GMP, as well as the Council's Licensing and Out of Hours, Trading Standards and local Neighbourhood teams in relation to the lack of information provided in the operating schedule as to how the licensing objectives would be upheld by the Applicant.

Due to the Applicant's lack of understanding of the licensing regime the Committee had no confidence that the Applicant would comply with any conditions imposed on the licence or that the Licensing Objectives would be upheld if the premises licence was granted. Therefore, the Committee considered that it was appropriate and proportionate to refuse the application.

3.7 **Miami Crispy Fried Chicken, 17 Lane End Road (Burnage)**

Representations were received from GMP and the Council's Licensing and Out of Hours team. It was submitted that there had been evidence of nuisance from the business during its refurbishment; planning permission had recently been refused for the extended hours; and the operating schedule did not demonstrate that the proposed Premises Licence Holder had a clear understanding of how he was going to promote the licensing objectives.

Due to the Applicant's lack of understanding of the Licensing regime the Committee had no confidence that the Applicant would comply with any conditions imposed on the licence or that the Licensing Objectives would be upheld if the premises licence was granted. Therefore, the Committee considered that it was appropriate and proportionate to refuse the application.

3.8 **Cantinho Doh Kilombo, 43 Kenyon Lane (Moston)**

Representations were received from GMP, as well as the Council's Licensing and Out of Hours, Trading Standards and local Neighbourhood teams as well as 13 local residents. The objections related to risk of nuisance and antisocial behaviour from the operation of the premises.

The Committee had no confidence that the Licensing Objectives would be upheld if the premises licence was granted. Therefore the Committee considered that it was appropriate and proportionate to refuse the application.

**3.9 The Riad, 258 Wilmslow Road (Fallowfield)**

This venue was located in the Fallowfield cumulative impact special policy area and received representations from GMP, Licensing and Out of Hours, the Licensing Unit, a local business, 2 residents' groups and 9 local residents. The objections included grounds that the applicant has not demonstrated that the premises would not add to the cumulative impact within the area, concerns over public nuisance, and another of the applicant's venues been several violent incidents including a drive by shooting leading to concerns about the applicant's ability to operate a safe, trouble-free premises.

The Committee concluded that the Applicant had not demonstrated to them how they would uphold the licensing objectives and not add to the existing problems in the area and so refused to grant the licence.

**3.10 Mount Rd Superstore, 147 Mount Rd (Longsight)**

Representations were made from GMP, Trading Standards and the Licensing and Out of Hours team over concerns in relation to the applicant, with evidence of recent failed test purchase in respect of an unlicensed sale of alcohol and selling unlawful cigarettes. The Committee were concerned that the applicant lacked sufficient knowledge to understand and therefore uphold the licensing objectives.

**3.11 Amazing Beauty Salon, 222 Middleton Road (Higher Blackley)**

Representations were received from GMP, as well as the Council's Licensing and Out of Hours, Trading Standards and local Neighbourhood teams in relation to the ability of applicant to promote the licensing and the lateness of the proposed hours.

The Committee were extremely concerned at the ability of the applicant to operate the premises responsibly if a licence to sell alcohol on and off the premises was granted. The Committee were extremely concerned at the ability of the Applicant to operate the premises responsibly if a licence to sell alcohol on and off the premises was granted and there had been little, if any engagement with the local residents and the Committee were of the opinion there would be a negative impact to local residents.

**3.12 GB Stores, 4 Polygon Street (Ardwick)**

This application was for an existing off licence premises that was relocating to new premises. Representations were received from GMP, the Council's Licensing and Out of Hours, Trading Standards and two local businesses in relation to problems caused by the operation of the original business.

Committee was not satisfied that the Applicant would be capable of upholding the licensing objectives, had serious concerns that the Premises was not adhering to the current conditions placed upon its existing licence and that there had been a lack of engagement with the responsible authorities to

address concerns that had been highlighted in 2015 and was of the view that such concerns still prevailed at its existing premises.

- 3.13 No appeals were made in respect of any of these decisions.

**Table 1 – Premises Licences (New)**

Total applications	119
Granted by Determination	42
Granted by LSC Decision	70
Granted by Officers following no representations	42
Refused	7

**Premises Licence Variations**

- 3.14 A total of 158 applications for the variation of licensable activities of premises licences were received. 84 were ‘full’ variations under s34 of the Act and 74 were minor variations under s41a.
- 3.15 82 of the ‘full’ variations were granted; 21 were determined where agreement was reached between all parties, and 12 at hearings by the Licensing Sub-Committee. 49 ‘full’ variations were granted by officers under delegated authority
- 3.16 Two ‘full’ variations were refused at hearings by the Licensing Sub-Committee:
- 3.17 **Kingsway off-licence, 269 Kingsway (Burnage)**  
This application sought to reduce the terminal hour during the week and to increase the terminal hour on Friday and Saturday. The application was refused because Committee was not satisfied with the Application. It felt that it was incomplete and did not address how the Premises intended to uphold the licensing objectives. In addition, the Committee had serious concerns that the Premises was not adhering to the current conditions on its licence.
- 3.18 **Mary & Archie, 200 Burton Road (Didsbury West)**  
This application sought to increase the terminal hour on Monday to Saturday and introduce live music. The Committee considered that the applicant had not properly taken into account the additional risks associated with patrons drinking for an additional hour and had not put forward any safeguards or management controls to ensure that residents would not suffer noise nuisance from patrons in the later noise sensitive hours.
- In particular the Committee was concerned about noise from patrons smoking outside the premises and noise from dispersal of patrons. Given the lack of detail regarding management controls the Committee considered that granting the variation would undermine the licensing objective of prevention of public nuisance.
- 3.19 No appeals were made in respect of any of these decisions.

- 3.20 In respect of the 74 minor variation applications received, 68 were granted as it was considered that the variation proposed could not adversely impact upon the licensing objectives.
- 3.21 Six minor variations were refused as it was considered that the proposed variation could adversely impact upon the promotion of the licensing objectives:
- 3.22 **One Plus, 42 Charles Street**  
This application sought to remove various conditions from the premises licence and received representations from Greater Manchester Police and the Out of Hours Compliance Team. It was refused on the grounds that the removal of the conditions could have negatively impacted on the promotion of the licensing objectives.
- 3.23 **Zouk Tea Bar, Unit 5 the Quadrangle (Deansgate)**  
This application sought to vary the layout of the premises but was refused because the plan was vastly different to the existing one and the application did not provide any information as to how the proposed changes could not adversely impact on the promotion of the licensing objectives.
- 3.24 **YHA, Potato Wharf, Liverpool Road (Deansgate)**  
This application sought to update a number of conditions on the premises licence, but it was considered that one of the conditions, which limited the hours the external drinking area could be operated, could adversely impact the licensing objectives.
- 3.25 **Shell Baguley, Altrincham Road (Baguley)**  
This application sought to remove a condition that would have enable the premises to open fully to the public as opposed to via a night hatch during the early hours. Following representations by Greater Manchester Police and the Out of Hours Compliance Team, the application was refused as it was perceived that granting it could have negatively impacted on the promotion of the licensing objectives.
- 3.26 **Dixy Chicken, 9-11 Wilmslow Road (Rusholme)**  
This application sought to extend the terminal hour for late night refreshment. Following representations by Greater Manchester Police and the Out of Hours Compliance Team, the application was refused as it was perceived that granting it could have negatively impacted on the promotion of the licensing objectives.
- 3.27 **The Wheatsheaf, 30 Oak Street, M4 5JE (Piccadilly)**  
This application sought to amend two conditions which related to the the removal of open, alcoholic drinks from the premises to the external area of the premises. Following a number of representations from local residents the application was refused, as it was apparent that there were a number of wider issues relating to the external area which could have been affected by the grant of the application and could have undermined the promotion of the licensing objectives.

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

Total applications	158
Granted by Determination	21
Granted by LSC Decision	12
Granted by Officers following no representations	49
'Full' Variations refused	2
Decisions Appealed	0
Minor Variations granted	68
Minor Variations refused	6

**Temporary Event Notices**

- 3.28 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.
- 3.29 A total of 1584 TENs were submitted to the Licensing team, of which 1090 were standard TENs and 494 were late TENs.
- 3.30 Fifty-five of the standard TENs submitted were rejected as not properly made, and twenty-nine of the Late TENs were likewise rejected as not properly made.
- 3.31 In respect of the remaining 1035 standard TENs, 8 objections were received from Greater Manchester Police, 4 objections from Environmental Health and 3 received objections from both GMP and Environmental Health. Of these TENs, 10 were withdrawn prior to hearing, 1 had a counter notice served, 2 had conditions attached by the Licensing Sub-committee, 1 objection was withdrawn prior to the hearing and 1 was allowed to proceed by the Licensing Sub-Committee without amendment or a counter-notice.
- 3.32 Of the 494 correctly made Late TENs, 9 were subsequently withdrawn by the premises users before the event took place.
- 3.33 Nine objections were received from Greater Manchester Police against Late TENs and three from Environmental Health. When an objection is made against a late TEN, a counter notice must be issued and there is no provision for a hearing. Counter notices were therefore served by officers preventing the events from taking place.
- 3.34 A total of 963 standard TENs and 438 late TENs were acknowledged by the Premises Team on behalf of the Licensing Authority.

**Table 3 – Temporary Event Notices**

	Standard TENS	Late TENS	Totals
Total Notices received	1090	494	1584
Rejected not properly made	55	29	84
Acknowledged by Officers	963	438	1401
Notice withdrawn by applicant	32	8	41
TEN modified	0	-	0
Counter Notice served	26	19	35
Conditions added by sub-committee	2	-	2
Counter Notice not served, no conditions	1	-	1
Notice withdrawn by applicant prior to hearing	10	-	9
Objection withdrawn prior to hearing	1	-	1

**Premises Licence Transfers**

- 3.35 A total of 214 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.

**Variation of the Designated Premises Supervisor**

- 3.36 A total of 535 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.

**Interim Authority Notices**

- 3.37 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.
- 3.38 No Interim Authority Notices under the Licensing Act 2003 were received.

**Premises Licence Reviews**

- 3.39 Five standard premises licence review applications were received during the period.

- 3.40 **Swadesh Restaurant, 98 Portland Street (Deansgate)**  
Submitted by Home Office Immigration Enforcement following the detection of illegal working at the premises. Two additional conditions were imposed on the licence requiring the premises licence holder to make regular immigration status checks of staff.
- 3.41 **Wembley Restaurant, 572 Hyde Road (Gorton and Abbey Hey)**  
Submitted by the Licensing Out of Hours Compliance Team, because of noise from the premises causing public nuisance, the premises not operating under its permitted hours or activities and was not adhering to the conditions on the licence, neighbours of the premises were subject to racial and homophobic abuse as well as damage to property by people at the premises and an overall failure of management to engage with responsible authorities. The licence was revoked.
- 3.42 **Evelyn's Café Bar, Unit 18 Smithfield Buildings, 44 Tib Street (Piccadilly)**  
Submitted by a local resident on the basis of noise from the premises and causing nuisance. Seven additional conditions were attached to the licence to address the issue of noise breakout.
- 3.43 **Pearl City Restaurant, 33 George Street (Deansgate)**  
Submitted by Home Office Immigration Enforcement following the detection of illegal working at the premises. Five new conditions were attached to the licence.
- 3.44 **Chickadoo, 676 Rochdale Road (Harpurhey)**  
Submitted by the Licensing and Out of Hours Compliance Team following the premises operating beyond its licensed hours, noise breakout occurring from the premises and the licence holder's refusal to engage with council officers. The licence was revoked.

#### **Premises Licence Summary Reviews**

- 3.45 Three 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, to consider whether interim steps are required pending the full review of the licence.
- 3.46 **Neighbourhood, Tower 12, Crown Square, Spinningfields (Deansgate)**  
The application was submitted as a result of a brawl at the venue involving approximately 20 people, including at least one man armed with a knife. One of those involved was subsequently struck on the head with a bottle by a member of door staff. The licence was suspended as an interim step pending the full review hearing.

At the final review hearing, the Committee were advised by GMP 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.

Fourteen additional conditions were attached to the licence, mainly relating to enhance security measures and restrictions on the use of glassware.

**3.47 Woodpecker Hotel, Selstead Road (Woodhouse Park)**

This review was triggered by a violent assault at the premises during which a woman was hit by a car intentionally driven into her. The licence was revoked at the subsequent hearing.

**3.48 Factory 251, 118-120 Princess Street (Deansgate)**

This review was triggered by a high-profile violent incident involving door supervisors at the venue attacking two customers who had been ejected. A representation was also received from the Licensing and Out of Hours team on noise issues from the club.

Taking 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, are appropriate and proportionate and should be added to the licence in order to ensure the licensing objectives are upheld at the premises. The Committee are also satisfied that by reducing the hours for Regulated Entertainment and opening times a more prompt and professional dispersal will be possible with less likelihood of incidents occurring.

This decision was subsequently appealed by the premises licence holder. Following negotiations, it was agreed for the licensed hours to revert and to amend a condition to clarify the requirement for medical provision at club events. It was also agreed to increase the capacity of the smoking area subject to an enhanced smoking policy being implemented.

**Surrendered / Lapsed Licences**

3.49 54 premises licences were surrendered by the respective licence holders.

3.50 18 licences lapsed due to insolvency of the licence holders.

**Personal Licences**

3.51 A total of 333 applications for personal licences were received. All were granted under delegated authority by officers as no objections were received from Greater Manchester Police.

3.52 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 Admiral adult gaming centre, Wellington House, 33 Piccadilly (Piccadilly) as the relocated across Piccadilly Gardens. This was granted by delegated authority as no representations were received. The application had been made following pre-application discussions with the Licensing Unit.

##### Premises Licence Variations

- 4.5 Three premises licence variations were received and granted under delegated authority by officers as no objections were received
- 4.6 The casino licence for Players Club, Manchester House, 86 Princess Street (Piccadilly) was varied to have effect for an alternate premises at 55 Portland Street, (Piccadilly), which is now known as Napoleons Casino. A subsequent variation was received in respect of Napoleons Casino's licence to vary a default condition in relation to the hours permitted for gaming.
- 4.7 The third variation, in respect of G Casino, 2 Ramsgate Street (Cheetham), was to include the smoking within the licensed area shown on the premises plan.

### **Premises Licence Reviews**

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

### **Transfer of a Gambling Premises Licence**

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

### **Surrendered / Lapsed / Revoked Licences**

- 4.10 Four premises licences granted under the Gambling Act 2005 were surrendered. All four licences were in respect of Betting Shops. No premises licence lapsed or were revoked.

### **Permits / Notifications / Small Society Lotteries**

- 4.11 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.
- 4.12 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.
- 4.13 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
- 4.14 It is only possible to grant or reject an application for a permit as no conditions may be attached to a permit.
- 4.15 There were 4 application for an Alcohol Licensed Premises Gaming Machine Permits during this period.
- 4.16 There were no applications for a Club Gaming and Machine Permit.
- 4.17 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.

- 4.18 During the period, 19 notifications under section 282 was received and acknowledged by the Premises Licensing team.
- 4.19 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.
- 4.20 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)	4
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)	9
Club Machine Permits	0
Club Gaming Permits	0
Family Entertainment Centre Gaming Machine Permits	0
Small Society Lottery Registration	12
Transfer of Licensed Premises Gaming Machine Permit	1

## 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	20
Chaperone Registration	48
Hairdresser Registration	5

House to House Collection Licence	18
Hypnotism Licence	3
Juvenile Employment Licence	483
Juvenile Employment Work Permit	26
Leaflet Distribution Permit	318
Performing Animals Registration	0
Personal / Practitioner Registration (body piercing, tattooing, ear piercing, electrolysis)	62
Premises Registration (body piercing, tattooing, ear piercing, electrolysis)	23
Scrap Metal Licence (new)	5
Second Hand Goods Registration	41
Sex Establishment Licence	0
Street Collection Permit	96
Street Trading Consent	57
Street Trading Licence (new)	10
Tables and Chairs on the Highway (new)	56
Tables and Chairs on the Highway (renewal)	96

## 6.0 Contributing to the Community Strategy

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

- 6.1 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**

- 6.2 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**

- 6.3 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.**

- 6.4 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**

- 6.5 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.

**7.0 Key Policies and Considerations**

**7.1 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.

**8.0 Conclusion**

- 8.1 The report provides the Committee with statistical information regarding premises licensing applications processed between 1 January and 31 December 2018. 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 – 9 September 2019

**Subject:** Licensing update report

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

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**Summary**

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

**Recommendations**

That Members note the report.

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**Wards Affected: All**

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Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.
A liveable and low carbon city: a destination of choice to live, visit and work.	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place based interests. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention

	of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.
A connected city: world class infrastructure and connectivity to drive growth	Licensed premises play 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

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

Name: Danielle Doyle  
 Position: Licensing Unit Manager  
 Telephone: 0161 234 4962  
 E-mail: d.doyle@manchester.gov.uk

Name: Fraser Swift  
 Position: Principal Licensing Officer  
 Telephone: 0161 234 1176  
 E-mail: f.swift@manchester.gov.uk

**Background documents (available for public inspection):** None



## **1.0 Introduction**

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

## **2.0 Updated Councillor Guidance for the Licensing Act 2003.**

- 2.1 The Local Government Association has published an updated Councillor Guidance for the Licensing Act 2003.
- 2.2 Released 9 August, the LGA said: “In 2016 the Government published the Modern Crime Prevention Strategy which, amongst other things, set out a vision for how the Government planned to address alcohol-related crime and disorder in the night time economy and, in particular, promotes the role that partnership working can play in addressing issues.

“We are pleased that since the strategy was published we have seen some further steps towards encouraging more localised approaches in licensing, for example new powers under the Policing and Crime Act 2017 mark a positive step in terms of giving licensing authorities the power to make assessments at a local level about what interventions could be helpful. However, there is still more that can be done locally to strengthen approaches to licensing and we hope this handbook will act as a helpful tool for licensing authorities in carrying out their functions under the Licensing Act.”

- 2.3 Copies of the Guidance document will be available to the Committee at the meeting.

## **3.0 Lucy’s Law to come into effect**

- 3.1 Legislation that will to end puppy and kitten farming has been laid before Parliament and will come into force in April 2020.
- 3.2 The legislation follows the “Lucy’s Law” campaign, named after a cavalier spaniel called Lucy who was rescued from a Welsh puppy farm in 2013 with a curved spine from being kept in a cramped cage, epilepsy and other problems. Despite being nursed back to health she died in 2016.
- 3.3 ‘Lucy’s Law’ will mean that puppies and kittens can no longer be sold by a third party seller – such as a pet shop or commercial dealer – unless they have bred the animal themselves. Instead, anyone looking to buy or adopt a puppy or kitten under six months must either deal directly with the breeder or an animal rehoming centre.
- 3.4 The Government said that “This practice causes lifelong socialisation issues for the puppy or kitten, as well as a number of preventable diseases. Today’s legislation will ensure that puppies and kittens are born and reared in a safe environment, with their mother, and sold from their place of birth.”

- 3.5 The decision to ban commercial third party sales was announced in December 2018 and follows years of high-profile campaigning by animal welfare organisations. It was taken following a public consultation, from which there was over 95 per cent support for a ban.
- 3.6 It is proposed that the removal of third-party selling would eradicate irresponsible breeding practices such as puppy farming, smuggling or trafficking; further protect the welfare of puppies and kittens; and is an important step to improving standards in breeding establishments. It has been suggested that a ban would:
- Ensure consistency with government advice that purchasers should seek to see puppies or kittens with their mother.
  - Incentivise welfare improvements in high risk commercial dog breeding establishments through ensuring transparency, accountability and appropriate remuneration for breeders.
  - Assist purchasers to make informed choices based upon seeing a puppy or kitten with its mother and encourage responsible buying decisions.
  - Prevent the sale of puppies which have not been bred to recognised standards of welfare in this country.
- 3.7 Puppy farms are high volume breeding establishments where dogs are bred purely for profit. The Kennel Club advises that the puppies bred by puppy farmers are more likely to suffer from common, preventable, infectious diseases, painful or chronic inherited conditions, behavioural issues and shorter life spans, and that such businesses typically:
- Separate puppies from their mothers too early (8 weeks is generally recommended);
  - Ignore guidelines about the maximum frequency of litters (the Kennel Club will not normally register more than four litters from any one bitch because of concerns that the current legal limit of six litters per bitch can be potentially detrimental to a dog's welfare);
  - Provide inadequate socialisation of puppies;
  - Sell puppies through third parties i.e. away from the environment in which they are raised;
  - Keep puppies in poor husbandry conditions and fail to follow breed specific health schemes or to apply basic, routine health measures such as immunisation and worming.
- 3.8 The legislation will come into force on 6 April 2020, giving industry and consumers time to prepare for the change. Animal Welfare Minister, David Rutley said: “The legislation laid in Parliament today is the next crucial step in stamping out the appalling trade of farmed puppies and kittens. As well as protecting and improving the lives of animals, it’s also about protecting the public from being tricked by unscrupulous sellers. Our ban on third party sales means that people can see first-hand that their new pet is healthy and has come from a responsible breeder.”

3.9 TWe will shortly be writing to the operators currently licensed who will be affected to ensure that appropriate transitional arrangements will be in place in advance of the new law coming into effect.

#### **4.0 Betwatch scheme launched for city centre**

4.1 In March 2019, Licensing launched a Betwatch scheme in partnership with betting shop operators and Admiral (formerly Nobles), GMP, Cityco and the Gambling Commission.

4.2 The scheme aims to improve and facilitate information and intelligence sharing between operators and agencies, and take collective action against known troublemakers. The scheme is overseen by an operational board where operators are typically represented by regional managers. There is a more-regular operational briefing led by Cityco with local branch managers.

4.3 The information-sharing element is, as a minimum requirement for participating in Betwatch, through the DISC system provided by Cityco's Business Crime Reduction Partnership, which is a secure private-access website and mobile phone app. In addition, many branches are also subscribing to the city centre radio scheme (Storenet/Nitenet).

4.4 At the most recent Operational board meeting in July, agreement was reached in relation to formal action against troublemakers, and key aims for the future are to continue developing information sharing, as well as enhance visibility and awareness of the scheme.

#### **5.0 Fixed Odds Betting Terminal stake reduction**

5.1 On 1 April 2019, the Government brought changes into effect in respect of the maximum stake that can be made on B2 gaming machines, known as 'fixed odds betting terminals' or 'FOBTs', which are a category of gaming machines exclusive to betting shops.

5.2 The maximum stake was reduced from £100 to £2 in response to campaigns from anti-gambling groups.

5.3 Since FOBTs were introduced in 2001, they provided a significant revenue stream for betting shops, and by 2018 was generating £1.7bn annually in gross gambling yield (total of bets placed minus winning paid) according to the Gambling Commission.

5.4 It had been suggested that the changes would result in up to a third of high street betting shops closing, and the changes would promote a move towards online gambling through website and mobile device apps. Since the stake reduction has come into effect in April, eight betting shop premises licences have been surrendered in Manchester.

5.5 In spite of closures, operators in the city centre have committed to continue supporting the Betwatch scheme.

**6.0 Key Policies and Considerations**

6.1 None

**7.0 Conclusion**

7.1 The report is provided primarily for informational purposes and the Committee is asked to note the report.