

**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

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

None

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

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