

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

2023-2028

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Foreword by the Leader of Manchester City Council

For inclusion in published policy

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Foreword by the Leader of Manchester City Council.....	1
1. Guide to using this policy .....	3
2. How this policy applies.....	5
3. Our vision for the city .....	7
Venue Diversity, Density and Availability .....	10
Noise and balancing mixed use areas .....	12
Vulnerability and Women’s Safety.....	12
Alcohol related violence .....	13
4. How we will consider premises licence applications.....	14
Licensable Activities.....	15
Nature of the business .....	17
Physical makeup of the premises .....	18
The location and suitability of the premises .....	19
The days and hours of operation.....	20
Operational standards of management.....	20
5. Steps to promote the licensing objectives .....	23
Specific matters the licensing authority will expect to be addressed (as relevant).....	24
General considerations for all venues (as relevant).....	25
6. Area-based Policies.....	32
Northern Quarter .....	34
Chinatown .....	35
Oxford Road (Southern Gateway) .....	36
Peter Street and Great Northern Area .....	36
.....	37
Central Retail District .....	38
Spinningfields and Granada .....	38
Castlefield .....	39
Deansgate Locks .....	39
Village.....	40
Piccadilly.....	41
	3

Ancoats and New Islington.....	42
.....	42
Rusholme (Wilmslow Road).....	45
Withington .....	46
Fallowfield .....	48
Levenshulme .....	51
Moston Lane .....	52
West Didsbury.....	52
Didsbury Village.....	53
Chorlton .....	54
Integration with Planning and promoting consistency with the Local Plan .....	55
7. Large Events.....	56
Large Scale Events.....	57
8. Temporary Event Notices .....	58
Use of Multiple TENs (Temporary Event Notice).....	59
Boxing and other combat sports.....	59
9. Designated Premises Supervisors .....	59
10. Transfer of a Premises Licence .....	60
11. Personal Licences.....	60
12. Reviews.....	61
Summary Reviews .....	62
Ability to reinstate conditions relating to live music upon review .....	63
13. Compliance and Enforcement.....	63
Suspension of licence for non-payment of fees .....	65
14. Shadow Licences.....	65
15. Determining applications .....	66
General .....	66
Delegated powers .....	66
Licensing Hearings .....	66
The role of the licensing objectives in decision making.....	67



Each case on its merits .....	67
Cumulative impact .....	68
Appendix A: The Licensing Process.....	72
Exemptions from the licensing requirements for late night refreshment.....	74
Consumption of alcohol in licensing outdoor areas.....	75
Appendix B: The Licensing Unit and Responsible Authorities.....	75
Licensing Authority .....	76
Chief Officer of Police:.....	76
Greater Manchester Fire Authority .....	76
Public Health Authority .....	77
Health and safety (Local authority premises, hospital premises and some university premises):.....	77
Health and safety All other premises .....	77
Environmental Health .....	77
Planning .....	77
Trading Standards .....	77
Body designated to advise on the protection of children from harm .....	77
The Inland Navigation Authority (in relation to vessels on the Bridgewater Canal and Manchester Ship Canal only).....	78
Appendix C: Integrating with key strategies.....	78
Appendix D: Premises operational policies and procedures.....	81
Local consultation.....	82
Alcohol Management Plan.....	82
Disabled access and facilities statement .....	84
Recommended Pre-Opening Checks .....	84
Appendix E: Relevant information for residents and other persons on engaging in the licensing process .	85
Finding out about the application.....	87
The provision of representations to applicants and requesting anonymity .....	88
The role of councillors .....	88
Problems with existing premises.....	88
Petitions.....	89

Appendix F: Film classifications .....90  
Appendix G: Decision making scheme of delegation.....90  
Appendix H: Glossary.....92

DRAFT

## 1. Guide to using this policy

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

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

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

Section 2 sets out how this policy applies in practice.

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

The next sections set out how we will license venues.

We intend to frame our approach around the consideration of the nature of the venue, location, hours and operational management standards (Section 4).

Section 5 sets out operating steps to be considered as relevant to the operation of the business.

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

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

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

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

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

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

Appendix A provides an overview of the licensing process generally.

Appendix B details the responsible authorities.

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

Appendix D provides suggested policies and procedures for operators.

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

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

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

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

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## 2. How this policy applies

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

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

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

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

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

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

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

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

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

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

The contents of this section apply both to premises licences and club premises certificates.

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### 3. Our vision for the city

This Licensing Policy identifies strategic principles to shape the city's licensed economy over the next 5 years to ensure the safety, amenity and economic growth of the city, particularly at night. It will guide decision making around the development of licensed premises and the role they play in place making locally, as well as providing direction in helping to make Manchester:

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

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

Through licensing, our approach will aim to:

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

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

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

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

Licensed premises are a key employer and generator of economic impact upon the local economy, in addition to their value in both attracting visitors and people to live in the area.

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

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

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

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

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

Whilst we aim to leverage the opportunities a vibrant night time economy brings, we will address its inherent challenges. Four issues in particular stand out when considering the impact of licensed premises on the night time economy:

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

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



1. Venue Diversity, Density and Availability
2. Noise and Land Use Conflicts
3. Vulnerability including Women's Safety
4. Alcohol-related Violence

## Venue Diversity, Density and Availability

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

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

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

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

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

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

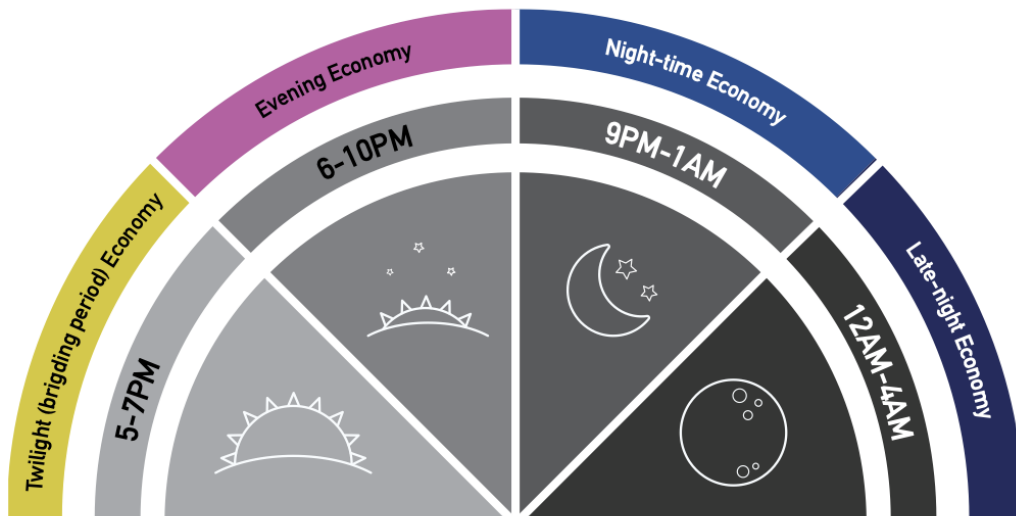
- A mix of different venue types and sizes
- One or more destination venues
- A mix of licensed and unlicensed venues
- Managed impacts on surrounding residents in terms of sound and antisocial behaviour
- A point of difference and a sense of place
- Transport connectivity
- Walkability within the cluster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

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

## Night time planning

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

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



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

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

## Noise and balancing mixed use areas

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

There is an expectation that life in a city centre is going to involve denser social and business interactions, typically with later trading venues and increased noise levels, and that these will extend beyond the comparative time periods of suburban neighbourhoods.

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

One policy approach to managing this tension between the valuable social, cultural and creative benefits of live music and performance, and the legitimate demands of city residents not to be unduly disturbed, is called the 'Agent of Change' principle i.e., the person or business responsible for the change will be responsible for managing the impact of the change. Consistent with this recommendation and in line with likely forthcoming statutory licensing guidance, the policy of the Council will be to respect the Agent of Change principle and the licensing authority will expect responsibility for noise management measures on the incoming 'agent of change'.

## Vulnerability and Women's Safety

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

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

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

This policy aims to ensure that vulnerability and women's safety is an important consideration in decision making in the night time and late night economy throughout the city centre. Operators are strongly encouraged to develop a harm reduction policy for their business.

## Alcohol related violence

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

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

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

- the quantity of alcohol sold
- the level of adherence to responsible service guidelines
- the style of venue
- the trading hours
- patron numbers and demographics
- type of drinks consumed
- socio-economic factors
- environmental characteristics and the density of alcohol outlets.

Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy.

A key aim of this policy is to promote partnership across businesses involved in the city centre's night time economy, improve information sharing, and reduce levels of crime and disorder. Venues and operators are expected to collaborate locally to deter and prevent access by known troublemakers using facilities currently available, such as Nitenet/DISC.

### Nitenet and DISC

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

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

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

The following 3 key criteria (one will suffice) will be considered:

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

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## 4. How we will consider premises licence applications

**“...the simple question should be whether (the proposal) does any harm and, if it does, how this can be mitigated without disproportionate restraints.”<sup>4</sup>**

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

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

Therefore, where there are factors likely to increase the likelihood of risk, the expectation is that there would be appropriate level of mitigating countermeasures, with a view to ensuring that the outcome is appropriate for the promotion of the licensing objectives. The ability to appropriately assess risk and understanding of the local issues is also an appropriate consideration (see the operational standards of management). Therefore, failure to identify relevant concerns may be a relevant consideration.

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

**What:** licensable activities, nature of the business, physical makeup of the business

**Where:** location and suitability of the premises

**When:** days and hours of operation:

**How:** operational standards of management, any Plan of Management, licence conditions

### Licensable Activities

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

### Licensable Activity special policies

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

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Covid-19 and the future of the social economy, Philip Kolvin KC and Alicia Scholer (2020)

[Covid-19 and the future of the social economy - NIGHTTIME.ORG](https://www.nighttime.org.uk/covid-19-and-the-future-of-the-social-economy)

### *Boxing and wrestling*

It is the Council's policy to refuse any application for bare knuckle fighting or slap fighting contests unless there are exceptional circumstances for granting. The licensing authority would expect any applicant for such events to provide comprehensive risk assessments, particularly around competitor safety, medical and safeguarding arrangements.

### *Exhibition of films*

It is the Council's policy that no R18 rated material should be shown without a sex cinema licence under the Local Government (Miscellaneous Provisions) Act 1982.

### *Operation of Challenge 25 in Age Verification policies*

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

### *Delivery Services (for alcohol and late night refreshment)*

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

- The deliveries would likely be to residential addresses where there was a risk of noise nuisance at the delivery point.
- Public nuisance can arise from delivery activities in as much as there is noise and disturbance during the collection process and the delivery process.
- Alcohol for immediate consumption and being delivered in the early hours of morning is likely to be consumed by someone who has already been drinking.
- At off-licensed premises, there is direct supervision when a customer places an order for alcohol. Staff can refuse to serve the customer who appears to be intoxicated or under-age. Refusal logs are kept; CCTV is available to be reviewed by the responsible authorities.
- Where alcohol is served by a delivery, the items have already been paid for before the courier arrives at the delivery location. Typically, couriers will wish to finish the job as soon as possible and it is questionable whether it can be reasonably expected that a courier, eager for the next job, would robustly carry out the necessary checks e.g. wait for a customer to produce ID documents or to show that the recipient is the same person as the one who placed the original order, associated with refusing sales of alcohol, as well as then have to deal with the associated added workload of returning the goods.
- The responsible authorities are unable effectively to check couriers in a delivery only model as envisaged by the Appellant.

Whilst home delivery for instance reduces footfall in nightlife areas, however, it carries the risks outlined and applications for delivery services will be considered on their respective merits having regard to how effectively such risks are identified and addressed.

## Nature of the business

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

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

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

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

- Drinking establishment
- Entertainment venue
- Experiential entertainment venue
- Food and dining venue
- Hot food takeaway
- Dark kitchen
- Off licence
- Theatre
- Cinema
- Music hall
- Concert hall
- Dance hall
- Art gallery
- Museum
- Library
- Markets
- Artisan food and drink, including microbreweries and tap rooms
- Other commercial (miscellaneous)

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



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

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

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

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

**Entertainment venue:** are used primarily for live performances or other creative or cultural events. This includes music halls, concert halls, dance halls and theatres. Entertainment acts are promoted, and one or more persons are engaged to play or perform live in-person. The audience typically leaves at conclusion of performance. A 'live music performance' is an event where one or more persons are engaged to play or perform live or pre-recorded music in person, but would not include karaoke. A Grassroots music venue will be recognised in line with the [definition](#) used by the [Music Venue Trust](#), as originally contained in the Mayor of London's Music Venue Rescue Plan (October 2015)

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

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

## Physical makeup of the premises

The scale: that is, its size, layout and the maximum number of persons that the premises can accommodate, including the density of customers, seating vs standing provision; and how accessible it is, can also influence its effects.

A larger bar may be able to accommodate more customers and generate more revenue, but it may also be more difficult to manage.

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

- Increased noise levels: As more people occupy a space, the overall noise level can increase.
- Increase the risk of accidents, such as tripping or falling, and may also create a fire hazard if exits are blocked or inaccessible.
- Longer wait times: can lead to frustration among patrons and may also contribute to increased noise levels as people try to communicate over the noise.

- Increased risk of violence: Crowded spaces can increase tensions and create a sense of competition for resources, such as access to the bar or seating areas. This can increase the risk of fights or other violent incidents.
- Difficulty managing crowds: High patron density can make it more difficult for staff to manage crowds and maintain order within the venue. Staff may find it challenging to monitor the behaviour of all patrons and ensure that everyone is following the rules and regulations of the establishment.
- Increased levels of disruption on entry and departure: higher numbers of people attempting to gain entry, waiting, and leaving, can create crowding in the surrounding area and attract traffic congestion.

Whether or not entertainment is to be provided, and its nature, may also be relevant in considering the scale of the proposal.

We encourage applicants for a premises licence to include a disabled access and facilities statement with their application. All premises are expected to provide accessible venue layouts that make venues welcoming and open to all as far as is reasonably practicable. The layout of the premises should ensure the safe evacuation of all persons in the event of an emergency in all cases.

How any ‘Designing out crime’ principles, such as [Secured By Design](#), are implemented to reduce or eliminate risks through the design or redesign of the premises and the immediate surrounding area.

### The location and suitability of the premises

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

The nature of the surrounding buildings or activities will be an essential consideration for example, whether or not the area is wholly residential or commercial/industrial; and what cumulative social impact the addition of a further premises of the type, scale and with the trading hours proposed is likely to have upon the local community/locality – by reference to such issues as transport problems, overcrowding of footpaths, increased pedestrian traffic, littering, noise pollution and the prevailing exposure of the local and broader communities to relevant types of antisocial behaviour and crime, including the proximity of any “hot spots” for the occurrence of such incidents; and including:

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

### The days and hours of operation

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

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

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

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

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

- Alcohol-related harm: Longer opening hours can lead to increased alcohol consumption, which can increase the risk of alcohol-related harm, such as impaired judgment, accidents, or violence.
- Noise pollution: Late-night opening hours can result in increased noise levels, which can disturb nearby residents and potentially result in noise complaints or fines.
- Increased crime risk: Late-night opening hours can increase the risk of crime, particularly if the venue is in an area with a high crime rate. This can lead to potential safety concerns for both patrons and staff.
- Staff fatigue: Longer opening hours can result in staff working longer shifts, which can increase the risk of fatigue and potentially impact the quality of service provided.

### Operational standards of management

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

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

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

As the licensing authority, we want to ensure that venues will operate to high standards generally. When considering the level of management standard, relevant matters may include:

- whether there is effective engagement with residents, businesses as well as the local authority and other statutory bodies to address concerns and ensure compliance with any relevant regulatory requirements;
- any history of incidents and track record of compliance with legal requirements;
- understanding of relevant challenges related to the operation of the business, including best practice; research or knowledge of the local area and ability to show understanding of local community concerns;
- knowledge of the licensing objectives, relevant parts of this licensing policy, and their responsibilities under the Licensing Act 2003;

- staff compliance with legislation and venue policies, including emergency procedures; how staff are trained in relevant legislation to their employment (including the licence conditions) to promote the growth of skills within hospitality<sup>5</sup>;
- use of comprehensive risk assessments for activities at the premises and implement them in practice effectively;
- any voluntary approach to partnership initiatives and adoption of best practises, including any that may be relevant to the delivering strategic objectives for Manchester (see Section 3), that may demonstrate the qualities of a responsible operator.

Therefore, it may be beneficial for operators to prepare a Plan of Management for their venue, which sets out company policies and procedures underpinning the operation of it. This will enable them to show how they intend to meet the expectations of this policy, including the points above; without fear of being saddled with scores of conditions. However, there is no requirement to do so.

### Plan of Management

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

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

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

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

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<sup>5</sup> [gm-skills-intelligence-pack-hospitality-sept-2021.pdf \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/gm-skills-intelligence-pack-hospitality-sept-2021.pdf)

## Licence Conditions

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

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

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

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

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## 5. Steps to promote the licensing objectives

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

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

All relevant steps will be expected to be addressed as appropriate by an applicant and applications will be assessed on the degree to which they are.

### Where the proposed business intends to operate:

- i. **In any area where there is a Special Area Policies (Section 6), and/or**
- ii. **As an alcohol-led venues in the NTE; and /or**
- iii. **During the Late Night Economy period (all venues)**

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

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

- Highlight if they intend to hold promoted **‘club’ events aimed at, or likely to attract, persons under 18** (The licensing authority expects robust measures to be in place to address potential risks associated with such an activity);
- Include **arrangements for restricting children from viewing age-restricted films** classified according to the recommendations of the British Board of Film Classification or the licensing authority itself (Exhibition of films)
- Address **whether any performance may include offensive or controversial themes; how child performers will be safeguarded for any performances involving children.**
- For any **combat sport**; what rules will apply, including details of any sanctioning body; the risk of conflict between rival groups of supporters; the provisions in place to ensure fighter safety and medical welfare.
- Where **entertainment or services of an adult or sexual nature** are to be provided: the nature of the entertainment; the location of the premises in relation to their proximity to the following sensitive uses; how the exclusion of under-18s from the premises will be managed; how the provision of ‘relevant entertainment’ (if any) is in line with the Council’s Policy and Standard Conditions for sex establishments.

## General considerations for all venues (as relevant)

### Pre-opening

Use of tickets, website and social media, and customer contact information to promote key messages.

How the venue is safe and secure to admit members of the public (See Appendix D for suggested checks).

### Arrival

Ensuring the safe and orderly entry arrangements for the venue e.g.:

- The days/times and functions required for SIA-registered door supervisors (see Provision of door supervisors)
- Safe and orderly queuing arrangements e.g., direction/boundary, use of apps to minimise queuing, use of barriers, staffing arrangements
- Customer search requirements, including CCTV coverage of search area, detection devices (to detect weapons and drugs (e.g., knife arch, search wands), and how seized items will be managed
- Requirements for refusing admission (for underage / drunk / disorderly / a suspected or known drug dealer)
- Use of DISC (see Nitenet) for identifying known offenders
- Controlling safe capacity
- Restrictions on children's presence and/or measures to prevent them from harm, considering the licensable activities carried out.

### Physical security measures in place

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

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

### Roles and functions of door supervisors

- Security staff provision is assessed by reference to ratio and functions of door supervisors
  - How they will be distinguishable e.g., Hi-Viz tabards or armbands
  - Periods they will be employed (days/times) ensure the start time is appropriate to capture the likely arrival of the majority of customers at peak times and they remain on duty until the premises has closed and the customers have dispersed for the premises
  - Any required ratio of male/female door supervisors; and
  - Where (any particular locations of the venue)



- Requirements for bodycams to be used
- Requirement to ensure door supervisors are briefed on their responsibilities and aware of company policies and procedures (including capacity limits and emergency procedures) before starting duty
- Maintenance of a register of door supervisors to ensure all identities of door staff can be verified, their SIA (Security Industry Authority) registrations are active and the correct licence type i.e. door supervisor.
- Security briefings to exchange information and intelligence at the start and end of duty
- Specifying the use SIA-Approved Contractor Scheme companies

#### Martyn's Law

- Steps are taken to ensure all people employed at the premises are aware of:
  - the current terrorist threat level; and
  - what that level means in relation to the possibility of an attack
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack.
- Ensuring all persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack.
- All public facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate.
- The venue has procedures and relevant training in place and staff are knowledgeable of the procedures to be taken in the event of a terrorist incident such as firearms or weapons attack, including:
  - Evacuation / Invacuation / Lockdown
  - RUN/HIDE/TELL principles
  - How customers will be safeguarded
- Applying the 4C's Protocol when dealing with suspicious items
- Staff are knowledgeable of the HOT principle for identifying suspicious packages
- Staff understand how to identify suspicious behaviour
- Staff are knowledgeable of the ETHANE principle for reporting incidents, including suspicious activity
- First Aid kits are fully stocked, staff are aware of where they are kept, and staff are first aid trained
- Measures to alert staff and visitors of any immediate threat or incident
- Rehearsal requirements for emergency procedures (no less than 6 months)
- Provision of PAcT (Public Access Trauma) kits in strategic locations on the premises

#### Customer behaviour management

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



## Crowd Control

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

## Spiking and Vulnerability

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

## Drugs

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

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

## Promoting women's safety

- Demonstrable commitment to the Manchester's [Women's Night-Time Safety Charter](#)
- Respect messaging (including in WCs)
- Nitenet
- How the venue will encourage an 'active bystander' approach
- Operate the Ask for Angela campaign
- WAVE and Active Bystander training for staff
- Specifying if communal toilets are provided. (Note: The starting point will be to refuse the provision of communal toilet areas in any NTE or late night economy venue. Any application

intending to provide communal facilities will be expected to demonstrate clear plan for how such facilities will be safeguarded.)

#### Supply of Alcohol:

Alcohol management practices, including any Alcohol Management Plan as to:

How the venue will encourage responsible alcohol consumption e.g.

- Comprehensive Alcohol Management Plan (see Appendix D)
- Server training requirements consistent with policy expectations (Appendix D)
- Free availability of water
- Provision of smaller measures i.e., 25ml spirit measures
- Designated driver scheme
- Displaying relevant information and posters throughout the premises that staff have a duty to prevent the sale of alcohol to customers who are drunk
- Limits the alcoholic strength % abv inside different beverage categories e.g., beers, lagers, ciders, wines
- Restrictions on products that encourage rapid down-in-one drinking or large quantities for self-service
- Providing multiple personal licence holders to be on the premises
- Avoiding promotion or sale of alcoholic drinks that are more likely to appeal to underage drinkers or that encourage excessive consumption
- Avoidance of external promotions of alcohol, including window displays and A-boards

How age restrictions are enforced on the premises through:

- Operation of Challenge25 policy
- Details of what forms of ID are acceptable
- The use of electronic till prompts
- The maintenance of refusal logs
- Staff training
- Use of mystery shopping

Preventing proxy sales occurring through:

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

Where there is an issue with street drinking:

- Banning high strength beer, wine and cider; large bottles of white cider; single cans and bottles
- No end of aisle promotions; displays near the door or out of sight of the counter or anywhere except behind the counter

- Prohibiting sales to known street drinkers or other persons, when notified to the premises by the police or local authority
- Signage promoting any local Public Space Protection and staff reinforcing the “No Street Drinking” warning at point of sales.
- Keeping alcohol products are in areas where staff can effectively monitor to guard against the risks of shoplifting and to deter attempts by underage persons to purchase e.g., use of spotter screens

Where alcohol deliveries are carried out:

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

#### Emergency planning and response

The effectiveness of any emergency response plans and the preparedness of staff to respond to emergencies such as fire, medical incidents, or violent incidents.

- Staff (including door staff) knowledgeable of emergency procedures, location of emergency exits, evacuation procedures, incident reporting
- First aid and medical provision – training, staffing, equipment
- Crime scene preservation training and procedures
- Water safety training and equipment
- Provision of PACT kits and their location(s) at the venue
- Public liability insurance
- Whether there is an up-to-date fire risk assessment (We encourage a copy of this being submitted to the fire authority when making any application for a new licence or variation affecting the premises layout.)

#### Limiting noise and other nuisances

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

- Soundproofing, including vibration (Note: Any new venues must be soundproofed so established residences in the area are not disturbed by the noise)
- Controls or restrictions on amplified sound in external areas
- Monitoring and managing ambient noise from outside areas

- Preventing nuisance from the positioning and operating of plant machinery such as kitchen extract systems, as well as preventing nuisance from odours.
- Avoiding light pollution
- The use of electric delivery vehicles

## Litter

Arrangements for controlling litter and keeping venue/perimeter tidy

- Providing adequate waste bins
- Having staff regularly clean the surrounding area.
- Use of branded wrappers
- No use of single use plastics
- Biodegradable and limited packaging

## Control of smoking and external areas

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

- Customer numbers permitted in such areas
- Hours
- Location and how they will be delineated
- Supervision arrangements, including any CCTV coverage, preventing begging, clearing litter
- Restrictions of use of glassware
- Preventing illegal parking and obstruction of emergency and other vehicles

## Departure

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

- Whether there are safe transport home policies for all workers consistent with the [Get Me Home Safely](#) campaign
- Having a policy in place to prevent drunk driving, such as providing taxi services to patrons who are too intoxicated to drive
- Displaying details of local taxi services, mini-cabs and public transport
- Regular collection of empty glasses and bottles, particularly just after closing.
- Displaying notices near the exit:
  - that leaving with glasses and bottles is not allowed;
  - requesting customers to leave quietly.
- The role of door supervisors (or other staff) in managing persons leaving through:
  - encouraging customers to drink-up and make their way to the exit
  - drawing the attention of departing customers to any notices in the foyer asking them to leave quietly and to be considerate ensuring that bottles and glasses are taken from customers as they leave
  - actively encouraging customers not to congregate outside the premises
  - directing customers to the nearest taxi ranks, or other transportation away from the area

- preventing street urination in proximity of venue

#### Post-operation

Cleansing arrangements for the immediate perimeter of the venue (sweeping / jet washing)

Times of emptying bottles into refuse containers to avoid disturbing local residents and businesses

How commercial waste is properly presented for collection

Engagement with local residents and businesses, such as providing dedicated phone lines for reporting issues, and holding periodic meetings to discuss any issues.

#### Engagement with local authorities

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

#### Staff training and procedures

Ensuring that staff are equipped to handle carry out their roles effectively.

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

Regularly reviewing and updating policies and procedures to ensure they remain effective and up-to-date.

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

## 6. Area-based Policies

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

The majority of Manchester city centre night-time economy takes place across several nightlife clusters: Peter Street, The Printworks, Deansgate Locks, The Gay Village, Stevenson Square and NQ, Oxford Road Corridor, Spinningfields, Chinatown, Cutting Room Square (Ancoats), Deansgate (end) and Piccadilly.

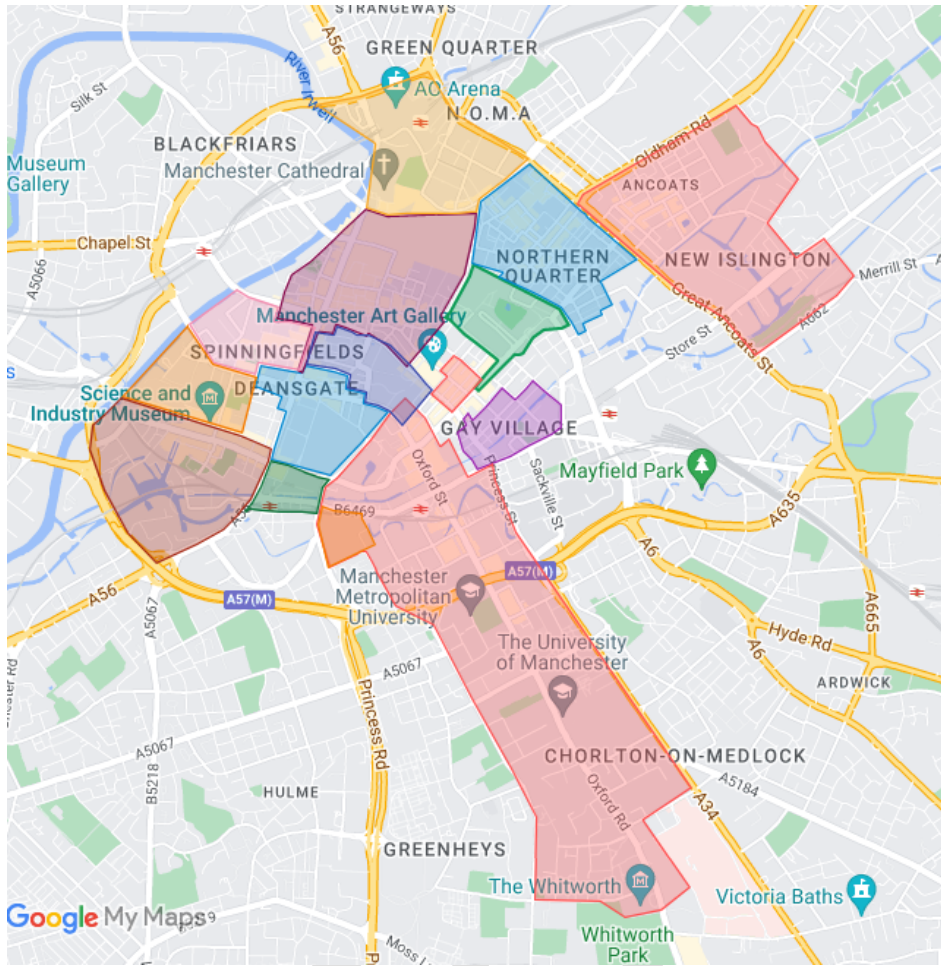
Outside the City Centre, established nightlife clusters exist in several of Manchester's larger district centres, which generate significant employment opportunities and act as destinations, such as Rusholme, Didsbury Village, Chorlton; and several areas support minor nightlife clusters which also play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

New areas continue to emerge including Red Bank, the Back of Ancoats and the former Granada site around the new Factory International venue and this policy aims to take a proactive approach to the development of licensed premises in such areas.

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

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

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



## Northern Quarter

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

Given the depth and breadth of the Northern Quarter leisure economy, there are 2 licensed business networks: West (Oldham Street to Shudehill) and East (Oldham Street to Tariff Street)

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

The Northern Quarter is also home to a substantial residential community, with several developments in place long before the area became a leisure destination. It is important that noise levels associated with the night time economy are tolerable and there should be an appreciation between all that live, work and use the area around balancing competing considerations.



## Objectives

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

## Chinatown

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

Populated with a variety of restaurants, karaoke bars and several late night casinos, as well as home to many stores and mini-markets.

The choice of restaurants, as well as the authenticity and vibrancy of the area are major attractions of China Town. However, the area has attracted issues with vagrancy, leading to issues with drugs, litter and antisocial behaviour; negatively impact upon feelings of safety. Cleansing the area is problematic due to the narrow streets and the reliance on storing waste externally.

The area is in a period of transition and our aim is to support the successful revitalisation of the area as a key social and cultural hub.

## Objectives

- To develop a hub of culture and a destination with Manchester
- To design out some of the issues currently faced
- Developing closer partnership links and support successful business development
- Reducing antisocial behaviour and vagrancy
- Improvements to waste management and cleanliness of the surrounding area
- Increased engagement between local communities, stakeholders, societies and associations
- Improvements to public surveillance and lighting



## Oxford Road (Southern Gateway)

The [Oxford Road Corridor](#)<sup>7</sup> bridges the University of Manchester Campus with the city centre. It is home to renowned independent and commercial music and theatre venues, as well as providing a pipeline for new and emerging artists. This combination of world class cultural institutions, grassroots and commercial cultural organisations makes for a dynamic destination and social mix.

The area has a thriving food and drink scene with some of the city's most iconic pubs alongside modern developments such as Hatch. The area has undergone significant transformation in recent years with several large new residential developments. There are also many hot food takeaways, which due to their location have created issues of illegal parking and consequent obstruction of the highway.

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

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

### Objectives

- To support the development of world class arts and cultural organisations and activities which enhance the reputation of the corridor and the city.
- To place cultural venues, performances and activities at the centre of a broader, leisure, sport, entertainment and lifestyle offer, including optimising the spaces between cultural assets, connecting the public realm.
- To use cultural assets, activities and audiences to support small and medium-sized businesses in food and drink, retail, and entertainment; as well as creative, artistic, heritage and performance industries.
- Balance night time economy with increases in residential development

## Peter Street and Great Northern Area

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

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

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<sup>7</sup> [Oxford Road Corridor | Manchester's Innovation District](#)

The area benefits from a marshalled taxi rank and a dedicated welfare space currently situated at the Great Northern complex. However, the development of the late night economy has seen increased victims of crime, particularly in relation to violence and thefts as well as public order offences rising, with 3x the levels compared to the rest of the city centre during peak hours of 11pm to 4am.

A key priority is to avoid these problems worsening and instead aim to achieve reductions in levels of public intoxication and crime.

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

### Objectives

- To develop the attractiveness of the area to a wider audience, reducing perceptions of alcohol-related problems
- Improve management of public highway during peak periods, particularly at weekends
- Increase diversity in the NTE and late night economy periods, particularly of premises where the experience goes beyond alcohol
- Improved surveillance of the public realm
- Initiatives to reduce vulnerability and improve women's safety
- Reductions to levels of public intoxication, as well as victim-based crime, including violence and thefts

### Special Policy

Given the increased risks of alcohol-related crime and disorder, in this area, the approach to venues where the consumption of alcohol is a primary activity shall be as below:

#### **Pubs, Clubs and Bars, including other primarily drinking establishments**

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

### Central Retail District

This area spans the heart of the city centre, encompassing key areas such as the Corn Exchange, Printworks, Deansgate. This wide-ranging area incorporates late night economy venues, particularly around the Printworks and Deansgate, with prominent dining destinations at the Corn Exchange and King Street, where there are also prominent al fresco dining areas and which also host seasonal markets and events.

There have been historical challenges around Withy Grove and Printworks, particularly in respect of the influence of alcohol; including violence and drunkenness, as well as issues of traffic from private hire and cruising cars creating blockages along Withy Grove, which also benefits from a marshalled taxi rank at weekends.

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

### Objectives

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

### Spinningfields and Granada

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

The former Granada site is undergoing vast redevelopment and will be home to the city's iconic new Factory International, an art and cultural events space, which will be home to Manchester International Festival.

### Objectives

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

### Castlefield

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

Many licensed premises along Liverpool Road sit underneath residential properties and there have been concerns raised around ASB (antisocial behaviour) and inconsiderate vehicular use along Liverpool Road and it is important that adjacent venues manage such issues. Water safety will be an important consideration from venues next to and near waterways.

Notable clusters: Liverpool Road

## Objectives

- Manage balance of residential and commercial along Liverpool Road
- Promote water safety initiatives
- Avoid ASB issues associated with customers of licensed premises, including noise and illegal parking

## Deansgate Locks

Whilst limited in scope, at night Deansgate Locks is a busy destination area due to the several large, high-volume bars and clubs housed under the arches. The area is primarily alive during the NTE and late night economy periods and is supported with a marshalled taxi rank. The high volume and alcohol-led nature of many of the venues, which predominately appeal and cater to younger adult audience, has been associated with increased issues of drunkenness and vulnerability

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

## Objectives

- Development of the twilight and evening economies
- Initiatives to reduce alcohol-related vulnerability and promote women's safety
- Promote water safety initiatives
- Improve management of public highway during peak periods, particularly at weekends
- Reductions to levels of public intoxication, as well as victim based crime, including violence and thefts

## Special Policy

Given the increased risks of alcohol-related crime and disorder, in this area, the approach to venues where alcohol consumption is a primary activity shall be as below:

### **Pubs, Clubs and Bars, including other primarily drinking establishments**

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

## Village

Centred around Canal Street, the Iconic area. The Village arguably provided the original renaissance of independent scene bars back in the 90s and the night time economy flourished ever since. Licensed premises

operate through the day, particularly the well-established al fresco areas along Canal Street but the wider Village operate well into the late night with numerous bars, nightclubs, takeaways and some restaurants.

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

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

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

### Objectives

- Development of the twilight and evening economies
- Increase diversity in the NTE and late night economy periods, particularly of premises where the experience goes beyond alcohol
- Initiatives to reduce alcohol-related vulnerability
- Promote water safety initiatives
- Reductions to levels of public intoxication, as well as victim-based crime, including violence and thefts

### Special Policy

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

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

### **Pubs, Clubs and Bars, including other primarily drinking establishments**

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

## Piccadilly

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

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

The area provides a major transport hub and serves as the gateway into the city centre from Piccadilly train station. Despite the high profile of the area, there are limited entertainment and social opportunities. Piccadilly Gardens also provides a central events space in the city centre and hosts a food market for part of the week. It also provides a central, open space for people to dwell and the fountain appeal to many.

### Objectives

- Reduce antisocial behaviour, litter
- Improve surveillance and staffing of the public realms
- Improve the appearance and quality of the street scene, including cleanliness.
- Improve feeling of safety and security
- Prevention of unauthorised public consumption of alcohol
- Support changes to the redevelopment of the public realm and perception of the area.

## Ancoats and New Islington

As part of the area's curation, Ancoats and New Islington has been subject to control opening hours and help create an attractive community for both businesses and residents, and a vibrant daytime and evening economy. This approach has proven successful; Ancoats growth and popularity has gone from strength to strength with limited negative impact arising from rapidly growth of new venues. This model is supported by residents and the increasing redevelopment of the area continues apace, with updated 'Back of Ancoats' regeneration strategy as the area bridges the city centre with the Etihad Campus.

The area is studded with highlights; Cutting Room Square is a natural focal point and the creation of outdoor seating on Blossom Street added to its profile, home to Manchester's only Michelin star, New Islington Marina and the Halle St Peters, among them.

However, the heightened profile and appeal of the area drawn larger numbers into the area as well as some occasionally acting antisocially, particularly around Cutting Room Square, and it is important this is carefully managed.

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

Notable clusters: Cutting Room Square

## Objectives

- Maintain the balanced development of the area, whilst avoiding concentrations of alcohol-led venues;
- Ensuring waste management bins are properly presented for collection
- Twilight uses to promote transition into the evening economy and promote dining and cultural uses
- Deter antisocial street drinking in public places

## Special Policy:

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

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

### **Pubs, Clubs and Bars, including other primarily drinking establishments**

- **Twilight, evening economy:** Presumption in favour, subject to compliance with steps and unless outweighed by demonstrable concerns raised in relevant representations that granting the licence would undermine the licensing objectives.
- **NTE post 11 p.m. (Sun to Thurs) and midnight (Fri and Sat) and Late night economy:** policy is to refuse except in exceptional circumstances

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

- **Twilight, evening economy:** applications will be considered on their merits, particularly where alcohol represents a small percentage of the overall products on sale, and limitations on promotional activities.
- **NTE post 11 p.m. (Sun to Thurs) and midnight (Fri and Sat), late night economy:** policy is to refuse except in exceptional circumstances.

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

- **Twilight and evening economy:** N/A.
- **Night time economy post 11 p.m. (Sun to Thurs) and midnight (Fri and Sat):** policy is to refuse except in exceptional circumstances.

### **Other venues:**

- **Twilight, evening economy:** strongly encouraged;
- **NTE post 11 p.m. (Sun to Thurs) and midnight (Fri and Sat):** policy is to refuse except in exceptional circumstances

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



## Back of Ancoats

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

The aim is for the creation of a mixed living and working neighbourhood, with the intention for this area to be less commercial than the 'front of Ancoats' e.g. Cutting Room Square.

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

An exceptional case would need to be demonstrated for NTE (Red Bank Plateau) and Late Night Economy uses (all 3 areas), or otherwise, the policy is to refuse such applications to prevent the risk of nuisance having regard to the nature of the area.

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

## Red Bank Neighbourhood

[Red Bank](#) is an emerging new neighbourhood adjacent to the existing residential communities of the Green Quarter and Angel Meadow, located at the northern edge of the city centre. More than 4,000 new homes are planned to be delivered in this location over the next decade. The commercial uses within the neighbourhood should be consistent with what will be predominantly a residential environment, highlighting the proximity to the natural landscape provided by the River Irk and adjacent green spaces, including St Catherine's Wood. The Red Bank neighbourhood is characterised by 3 distinct areas as set out below.

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

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

## Dantzic Street

New apartment-led housing developments will transform Dantzic Street into a vibrant local high street. The commercial offer in this location should supply resident demand but also bring vibrancy to this area so that Dantzic Street feels like the hub of the neighbourhood and a part of the extended city centre. Retail and food & beverage uses will promote Red Bank as a desirable neighbourhood to live in, providing active streetscapes and animated public spaces. Given the accessible location, Dantzic Street may be suitable for other complimentary uses such as doctor's surgeries, wider health uses or childcare. Incorporating uses that support both the daytime and evening economy will help integrate the neighbourhood with the surrounding areas, including the city centre, and encourage dwell time in the neighbourhood and enjoyment of the river and green/public spaces.



The commercial uses in the Dantzic Street area will be aimed at the Evening (6pm-10pm) and Night time Economy (9pm-1am).

#### Red Bank Viaduct

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

The commercial uses in Red Bank Viaduct will be aimed at the Evening (6pm-10pm) and Night time Economy (9pm-1am).

#### Red Bank Plateau

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

The commercial uses on the Plateau will be aimed at Twilight (5pm-7pm) and Evening (6pm-10pm) economies.

#### Rusholme (Wilmslow Road)

Rusholme has some of the most distinctive characteristics of any Manchester place; it is home of the traditional 'Curry Mile', on one of the main arterial routes of the city and especially notable is the strong influence of Asian and Middle Eastern trade and its bustling and brightly lit late night economy. It is a centre which attracts visitors from a wide catchment (beyond Manchester) and is a valuable aspect of the City's identity.

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

#### Objectives

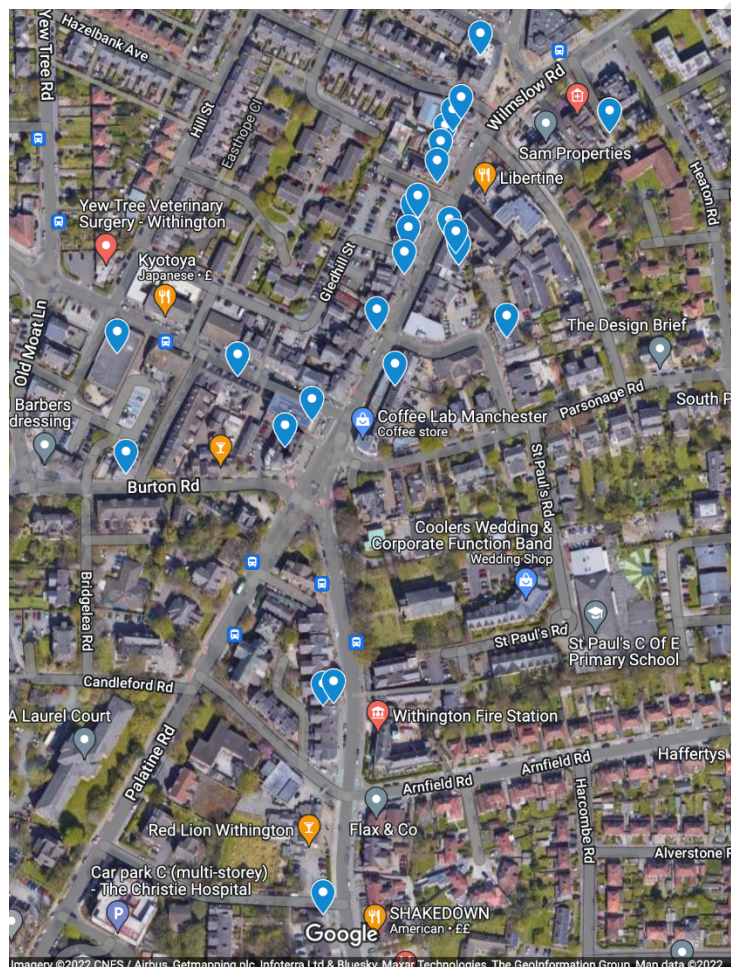
- Enhance the historical cultural identity of the area
- Significantly improve the visual appearance of the street scene, particularly in relation to litter and antisocial behaviour;
- Promote high standards of management
- Where appropriate, demonstrable compliance with the Health Act 2006.

## Withington

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

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

Notable clusters: Wilmslow Road (from Withington Library to Burton Road)



## Objectives

- Widen the appeal of the district centre
- develop Withington Village as a local centre for cultural activities
- Recent pop-up events have created a sense of vibrancy which can be built on;
- attracting enterprising bars and cafés that promote a local economy and increase footfall in Withington;

- Create destination places and spaces for people to meet and dwell
- Significantly improve the visual appearance of the centre
- Preserving the Conservation Area, where buildings maintain a historic importance for the community,
- Improving the offer (quality and diversity) and by delivering temporary events, markets and pop-ups where appropriate
- Support for an attractive evening economy and extended activity hours which does not adversely impact on residential amenity

### Special Policy

The approach will be to support the development of the Evening Economy. Therefore, the policy is to grant applications for operating during Twilight and Evening Economy. Other venues such as those that are not alcohol-led Night time Economy proposals will be acceptable until midnight although later hours until 1am more acceptable at the weekend. Late Night Economy venues will generally not be acceptable and will be expected to demonstrate they do not harm the licensing objectives.

#### **Pubs, Clubs and Bars, including other primarily drinking establishments**

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

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

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

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

- **Twilight and evening economy:** N/A.
- **Night time economy post 11 p.m. and Late Night economy:** policy is to refuse for service on the premises. For delivery-only, applications will be considered on their merits, subject to strict compliance being demonstrated with the steps for delivery services set out in Section 4, and the likelihood of nuisance from the operation of delivery vehicles given the proximity of the premises to residential properties.

#### **Other venues:**

- **Twilight, evening economy:** strongly encouraged;
- **NTE,** presumption in favour, subject to compliance with steps set out in Section 5;
- **Late night economy:** policy is to refuse except in exceptional circumstances.

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



## Fallowfield

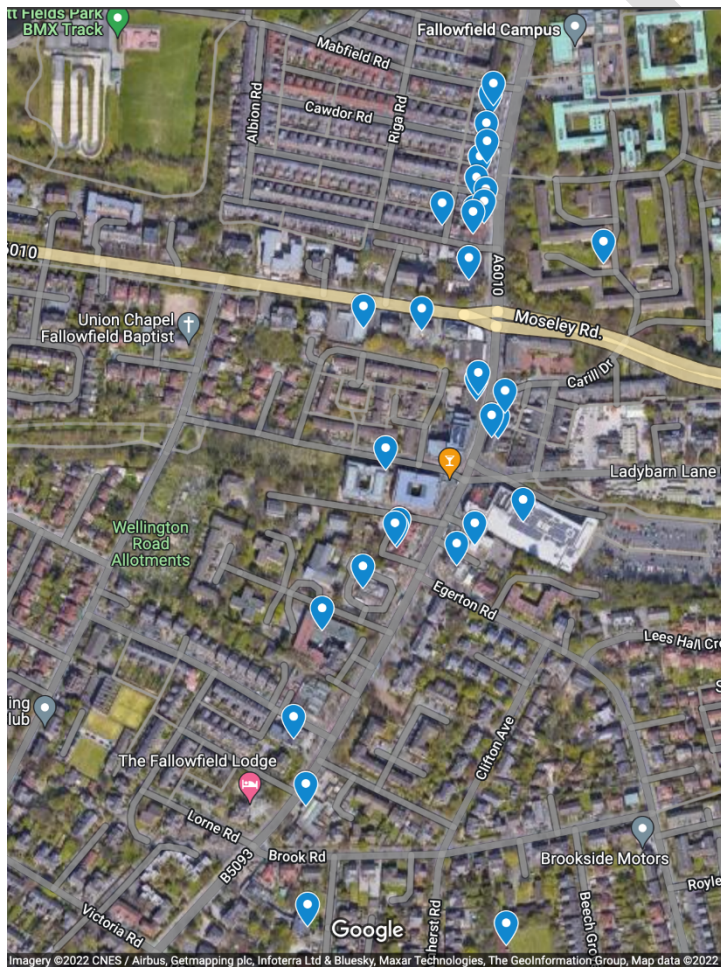
Fallowfield is the traditional home of university students, with prominent halls of residence and large numbers of student flats and shared houses. However, it is also home to a significant non-student population and any perception that Fallowfield is solely a 'student area' should be avoided.

Whilst the number of bars has steadily declined over recent years, problems of antisocial behaviour persist and domestic disturbances, particularly in residential streets.

Given the predominance of younger people in the leisure economy, issues of women's safety, vulnerability, and harm reduction generally, are primary considerations.

The apparent domination of the student-focused leisure market is a frustration for other residents in the local area, and there is a desire to see a more inclusive local economy.

The area has a high number of late night food takeaways. Litter from takeaway food wrappers as well as street drinking are a local problem.



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

## Objectives

- Widen the appeal of the district centre
- Attracting enterprising bars and cafés that recapture spend and increase footfall in Fallowfield
- Create destination places and spaces for people to meet and dwell
- Significantly improve the visual appearance of the centre
- Reduce problems of alcohol-related antisocial behaviour
- Reduce issues of litter from hot food takeaways and street drinking
- improving the offer (quality and diversity) and by delivering temporary events, markets, and pop-ups where appropriate
- Support for an attractive evening economy and extended activity hours which does not adversely impact on residential amenity
- Promote safety and vulnerability initiatives

## Special Policy

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

The policy aims to avoid the worsening of antisocial behaviour locally, problems with litter, and re-experiencing previous experiences of alcohol-related issues in the late night economy period resulting from late night bars.

Therefore, the following approach shall be taken:

### **Pubs, Clubs and Bars, including other primarily drinking establishments**

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

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

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

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

- **Twilight and evening economy:** N/A.
- **Night time economy post 11 p.m. and Late Night economy:** policy is to refuse for service on the premises. For delivery-only, applications will be considered on their merits, subject to strict compliance being demonstrated with the steps for delivery services set out in Section 4, and the

likelihood of nuisance from the operation of delivery vehicles given the proximity of the premises to residential properties.

**Other venues:**

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

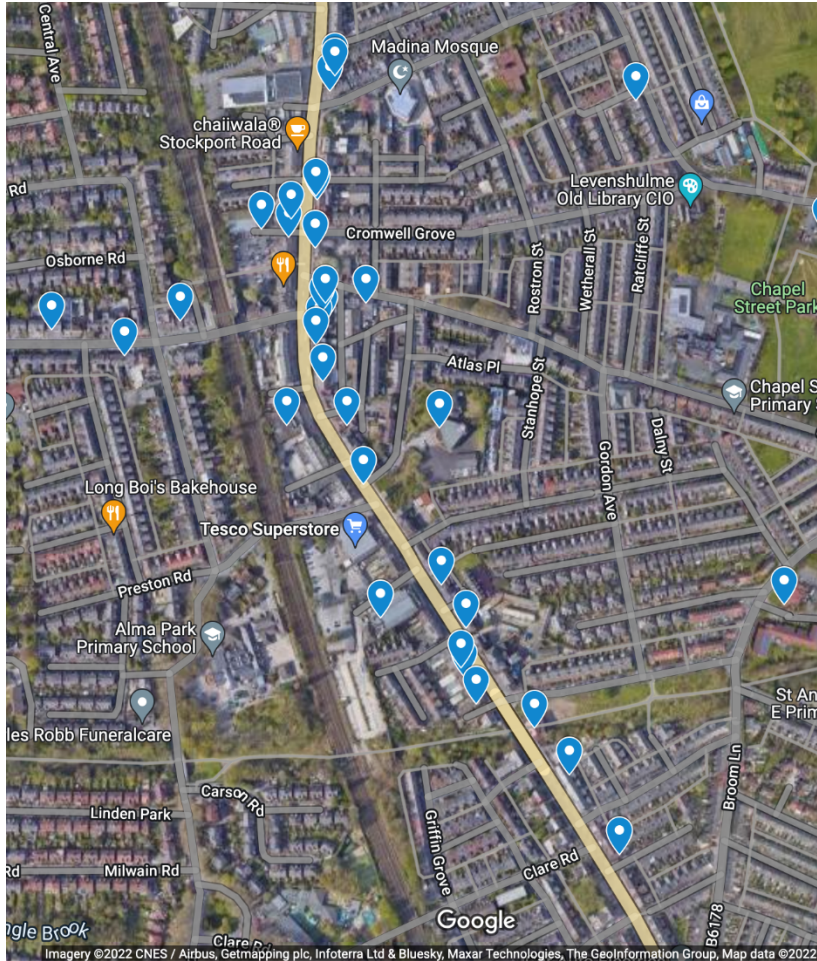
The policy to refuse set out above is strict and will only be overridden in genuinely exceptional circumstances. The size or extent of the application or variation will not be treated as exceptional.

## Levenshulme

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

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

Notable clusters: Stockport Road



## Objectives

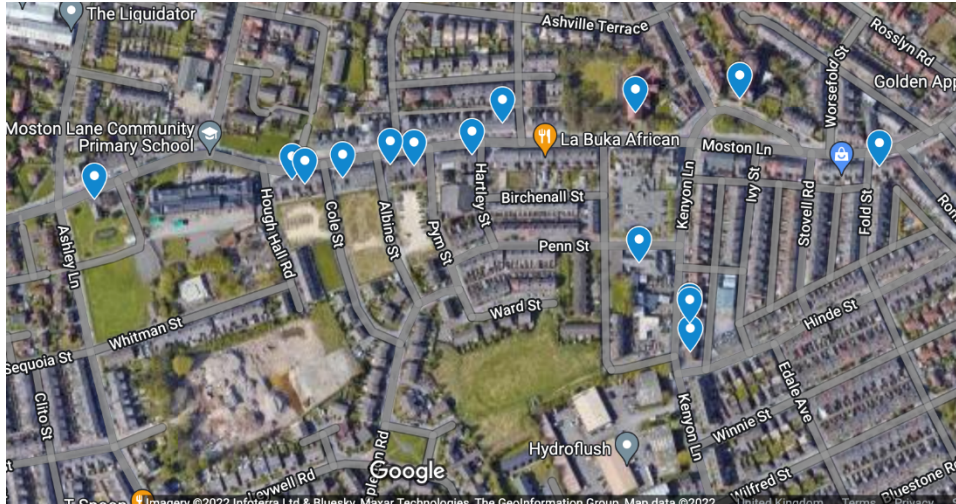
- Support community activities particularly during the twilight and evening economy periods
- To avoid increases in litter and ensure the high standards of management, particularly in relation to carrying on delivery services

## Moston Lane

Moston Lane is a busy commercial thoroughfare with several off licences, takeaways and restaurants alongside other businesses. Despite seeking to shed previous negative reputation of the area, particularly in relation to the number of off licence premises, the area still faces challenges associated with regulatory compliance and has seen enforcement required to tackle unlicensed activity.

Notable clusters: Moston Lane, Kenyon Lane





## Objectives

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

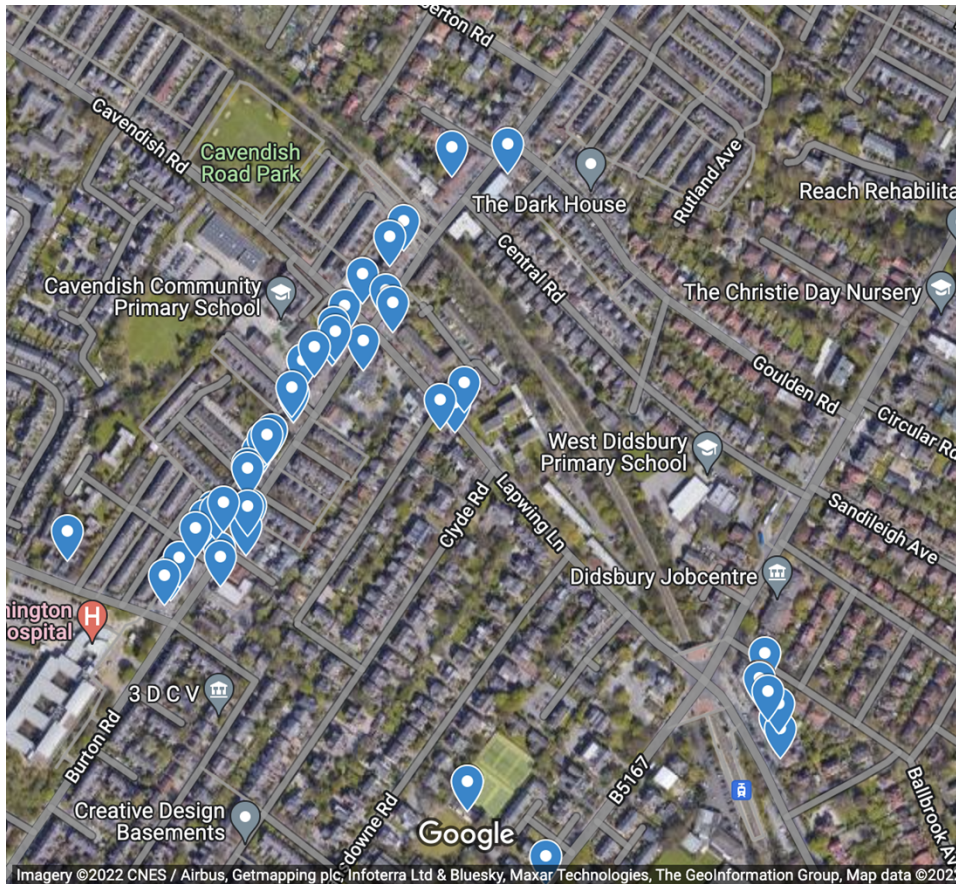
## West Didsbury

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

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

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



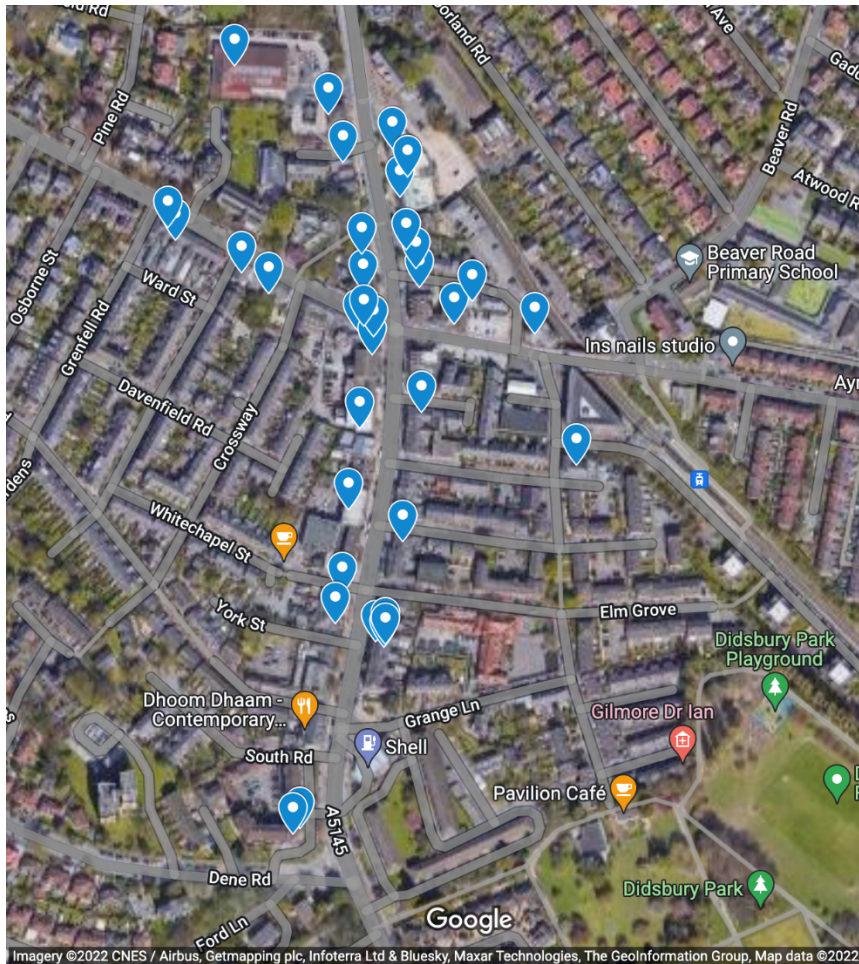


## Objectives

- Improving the offer (quality and diversity) and by delivering temporary events, markets, and pop-ups where appropriate
- Support for an attractive evening economy and extended activity hours which does not adversely impact on residential amenity

## Didsbury Village

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



## Objectives

- Support for an attractive evening economy and extended activity hours which does not adversely impact on residential amenity

## Chorlton

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

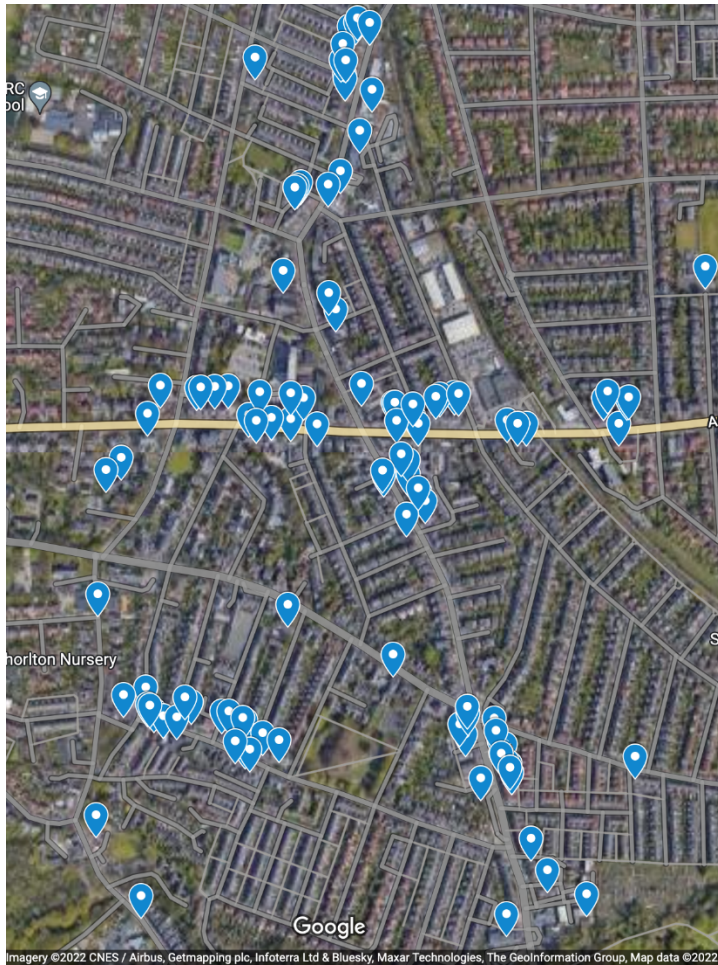
The Chorlton Vision<sup>8</sup> aims to promote a plan for new businesses which balances daytime and night-time uses, alongside retail / leisure / services.

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

<sup>8</sup> [Property - Chorlton Vision](#)



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



### Objectives

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

### Integration with Planning and promoting consistency with the Local Plan

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

applicant who chooses to apply for the relevant licence prior to obtaining planning permission is advised to be aware of the relevant planning policy for the locality.

Manchester's [Local Plan](#) guides development in the city and an updated version is currently under review.

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

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## 7. Large Events

### Large Scale Events

This section applies to outdoor events, sports stadia, indoor event venues, as well as purpose-built entertainment arenas with an attendance capacity of 2000 persons or over.

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

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

There is no statutory guidance applicable to licensing large scale public events other than the s182 Guidance, which establishes the licensing process is the same as for any other premises licence. However, there are several unofficial guidance documents that are relevant.

The licensing authority prefers guidance provided by the Sports Ground Safety Association, given that it is published by the official government advisor on safety at sports grounds and so will look to use the following guidance documents as reference points to the event planning process, as far as they are relevant to the specific considerations of the event:

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

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

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

[Purple Guide](#), Event Industry Forum

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

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

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

All event organisers are encouraged to engage with the Council's Events team to enable them to keep oversight of event activity across the city and the ability to influence the event planning process.

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## 8. Temporary Event Notices

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

Temporary Event Notices are limited to 499 persons. This figure includes all persons e.g., staff, performers; not just attendees. Whilst the licensing authority expects all temporary event notice givers to carefully monitor capacity to ensure this limit is not exceeded, the licensing authority strongly encourages any person giving a notice with a proposed capacity of 499 persons to show how they will ensure capacity is managed. This could be done by way of including supplementary information alongside the prescribed Temporary Event Notice form. There is no requirement for such documentation to be included, but it may help in avoiding concerns being raised in any objection to a Notice.

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

### Use of Multiple TENs (Temporary Event Notice)

There must be a minimum of 24 hours between temporary event notices held on the same premises by a premises user or held by that user and another person who is related to, associated with or in business with that user (s101, LA2003).

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

Where objections are received against any multiple TENs that are at similar times, or within 24 hours of each other, for events on premises that are alongside each other, a hearing will be held where the respective premises users will be given opportunity to show how they will ensure that the licensing objectives will not be undermined, and the maximum capacity not exceeded. This will be balanced against evidence provided by the Police and/or Environmental Health.

### Boxing and other combat sports

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

## 9. Designated Premises Supervisors

The Licensing Authority expects the designated premises supervisor (DPS) to be carrying out the day-to-day management activities of the premises. This is in line with the expectations of the s182 Guidance. Where a DPS is not able to satisfactorily show they are able to do this, we will invite the premises licence holder to appoint an appropriate alternative person.

The police can at any stage after the appointment of a DPS seek a review of a premises licence on any grounds relating to the licensing objectives if problems arise relating to the performance of a DPS.

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

In exceptional circumstances, the police may object to the appointment of an individual as a designated premises supervisor.

Where, following an objection by the police, the licensing authority is satisfied that the appointment of a person as a designated premises supervisor would undermine the crime prevention licensing objective, the policy is to refuse the appointment or to remove them as the DPS in circumstances where they are already in post

## 10. Transfer of a Premises Licence

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

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

## 11. Personal Licences

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

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

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

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



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

Where the personal licence holder is a designated premises supervisors, the licensing authority will normally invite the premises licence holder to make representations about the personal licence holder before deciding whether to revoke or suspend the licence; this is not a legal requirement and may not be appropriate in all circumstances.

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## 12. Reviews

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

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

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

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

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

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

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

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

### Summary Reviews

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

Within 48 hours of receipt of the chief officer's application, the licensing authority must also consider whether it is necessary to take interim steps, pending the determination of the review, to address the immediate problems with the premises, in particular the likelihood of serious crime and/or serious disorder.

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

- the modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail from the scope of the licence;
- the removal of the designated premises supervisor from the licence; and
- the suspension of the licence.

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

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

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

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

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

## 13. Compliance and Enforcement

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

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

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

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

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

Once away from the licensed premises, a minority of consumers will behave badly. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:

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

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

The licensing authority is required to suspend a premises licence or club premises certificate if the annual fee has not been paid when it is due. Where a premises licence or club premises certificate has been

suspended, no licensable activities can be lawfully carried out at the premises until the annual fee has been paid. The suspension shall be lifted immediately upon payment of the fee and licensable activities may be resumed.

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

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

## 14. Shadow Licences

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

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

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

## 15. Determining applications

### General

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

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

### Delegated powers

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

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

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

### Licensing Hearings

Where there are relevant representations, a hearing will be held by a sub-committee of 3 councillors from the Authority's Licensing Committee. Hearings will be scheduled in line with the regulations of the Licensing Act. The Authority may extend these timescales, where it is permitted to do so, because of the complexity of issues, the number of submissions received, whether submissions are made in a timely manner and, particularly, the time taken by the Applicant or other parties to respond to any questions or requests from the Authority for further information.

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

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

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

## The role of the licensing objectives in decision making

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

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

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

### Each case on its merits

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

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

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

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

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

### Need and commercial demand

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

## Evidence

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

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

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

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

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

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

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

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

Persons making submissions to the Authority should be aware that their submissions will be provided to the applicant as well as in any committee report published by the Authority for the determination of the application.

## Cumulative impact

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

## Hours

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

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



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

Hours will not be reduced as a bargaining-tool to compromise; the starting point for the application is not important – it is the outcome that must be appropriate for the promotion of the licensing objectives. Applicants are strongly encouraged to apply for the hours they intend to operate, and it may be that not applying for (unwanted) later hours might reduce the likelihood of objections against the application. The licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours.

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

- The likelihood of nuisance
- To avoid peaks of dispersal

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

#### Conditions

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

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

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

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

The licensing authority will not seek to micro-manage the operation of a business through the extensive imposition of conditions and considers there is merit in the number of conditions being limited to promote focus by, and understanding of, an operator upon those specific requirements as well as facilitate compliance monitoring.

- When attaching conditions, the principles to be applied by the licensing authority are that conditions will be:
  - Tailored to the premises and licensable activities concerned
  - Appropriate, necessary and proportionate;
  - Precise, clear and unambiguous;

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

Conditions will not:

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

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

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

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

## Refusal

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

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

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

#### Notification of the Authority's decision

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

At a hearing, the Authority may, in its discretion, will normally advise the parties in attendance of their decision before the formal decision letter is notified. However, it reserves the right to communicate its decision within 5 working days of the hearing, except in Summary Review matters.

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## Appendix A: The Licensing Process

A useful breakdown of the licensing process can be found on the Gov.uk website:

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

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

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

- pubs and bars
- cinemas
- theatres
- nightclubs
- late-opening cafes
- takeaways
- village and community halls
- supermarkets

The types of licences required are defined as follows:

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

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

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

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

A premises licence holder may apply to vary the person specified on the licence as the designated premises supervisor.

A new operator may apply to transfer a premises licence into their name, subject to the existing licence holder providing their consent save for in certain circumstances.

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

Any person may give the licensing authority a Temporary Event Notice (TEN) to carry on licensable activities at any place. There are limits to the number of TENs that can be given and to their duration. Ten working days' notice must be given for a TEN. Where between 5 and 9 working days' notice is given, this is classed as a Late TEN. The difference is that where an objection is made against a TEN, the licensing authority will hold a hearing to consider whether to issue a counter notice thereby prohibiting the licensable activities from being permitted. However, where an objection is received Late TEN, the licensing authority must issue a counter notice.

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

Only the police and Council's environmental health service can object to a Temporary Event Notice. Only the police can object to the transfer of a licence or variation of the designated premises supervisor.

### [Exemptions from the licensing requirements for late night refreshment](#)

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

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

- a) on or from premises which are wholly situated in a designated area;
- b) on or from premises which are of a designated description; or
- c) during a designated period (beginning no earlier than 11.00 p.m. and ending no later than 5.00 a.m.).

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

- Motorway service areas;
- petrol stations;
- local authority premises (except domestic premises) unless there is an event taking place at which more than 500 people are present;
- schools (except domestic premises) unless there is an event taking place at which more than 500 people are present;
- hospitals (except domestic premises);
- community premises (church, chapel, village, parish or community hall or other similar building) unless there is an event taking place at which more than 500 people are present;
- licensed premises authorised to sell by retail alcohol for consumption on the premises between the hours of 11pm and 5am.

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

## Consumption of alcohol in licensing outdoor areas

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

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

- a) an outdoor place which is covered by the premises licence for on-sales, and
- b) an outdoor space which is not covered by the premises licence and is therefore an off-sale (e.g., on a highway).

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

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



## Appendix B: The Licensing Unit and Responsible Authorities

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

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

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

Tel: 0161 234 4512

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

### Licensing Authority

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

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

Tel: 0161 234 4512

### Chief Officer of Police:

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

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

Tel: 0161 856 3363

### Greater Manchester Fire Authority

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

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

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

Tel: 0161 608 5310

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

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

[www.manchesterfire.gov.uk/authority/](http://www.manchesterfire.gov.uk/authority/) \* n/a (0161 908 5410)

### Public Health Authority

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

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

Tel: 0161 234 3436

Health and safety (Local authority premises, hospital premises and some university premises):

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

Tel: 0161 952 8200

Health and safety All other premises

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

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

Tel: 0161 234 4854

Environmental Health

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

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

0161 234 4854

Planning

Manchester Council Planning Department (Premises Licences), PO Box 463, Town Hall, Manchester,

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

Tel: 0161 234 4516

Trading Standards

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

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

Tel: 0161 234 1555

Body designated to advise on the protection of children from harm

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

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

Tel: 0161 234 3330

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

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

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

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## Appendix C: Integrating with key strategies

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

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

[The Manchester Strategy](#) sets out how we intend to make Manchester into the place people want to live, work, play and do business in 2025, and is based on 5 themes:

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

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

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

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

The [Manchester Water Safety Partnership](#) works together to help make Manchester's waterways safer, with a key focus on the city centre. Sadly, there have been several fatalities in Manchester waterways from young people who had been enjoying a night out in the city centre.

We will support this work by:

- Continuing to support and inform the partnership on licensing matters
- Facilitating and promoting free water safety training for the staff of licensing premises
- Imposing appropriate requirements on venues in proximity to water, such as requiring the provision of safety equipment, risk assessments, and training.
- Ensure water-related incidents associated with licensed premises are appropriately addressed through compliance and enforcement activities

A thriving social and cultural economy contributes towards the successful delivery of other strategies, including:

[Manchester Cultural Ambition 2016-26](#) – by increasing routes into employment in creative industries and supporting the conditions for growth of the creative and cultural sector.

[Greater Manchester Cultural Strategy](#) - This strategy sets out the long-term ambitions for culture, heritage and the creative industries in Greater Manchester for the next five years, where the individual strengths of all ten GM districts can come together for the benefit of everyone

[Manchester Youth Offer](#) – by providing support for skills and training opportunities for young people, including skills for life.

[Manchester: A Great Place to Grow Older](#) – by supporting skills and training opportunities for older people. Music has a unique position as a facilitator in social inclusion, such as through choirs, orchestras and community events, which is important as the population ages, loneliness in older adults can increase.

[Developing a More Inclusive Economy: Our Manchester Local Industrial Strategy](#) – supporting development of a more inclusive economy by encouraging growth in good quality and sustainable employment.

[Powering Recovery: Manchester’s Recovery and Investment Plan](#) is the Council’s strategy for how Manchester will emerge reinvigorated from the economic shock of the Covid-19 pandemic and other challenges such as the uncertainties of Brexit.

[Build Back Fairer in Greater Manchester: Health Equity and Dignified Lives](#) (The Marmot Review) states that, to achieve a permanent reduction in health inequalities, GM needs to focus on the social determinants of health. These are factors outside health care that affect health, including: income, poverty and debt, work and unemployment.

[Manchester Work and Skills Strategy 2022-27](#) - It sets out how we will use learning and employment to meet the Our Manchester Strategy vision of being a more highly skilled city, and how we will help create a more inclusive and zero carbon economy in Manchester where more of our residents are connected to our city’s success

## Equality and Inclusivity

The public sector equality duty is a duty on public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act.

The [Equality Act 2010](#) places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The licensing authority will not seek to duplicate [existing legal requirements](#) in relation to equality issues. However, we expect that all licensed premises have:

- inclusive and transparent policies (for example, admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however, they must not prevent admittance based on perceived attractiveness, size, or against any of the protected characteristics).
- robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed.

- comprehensive training on equality and inclusion for all staff. It is important that any training is regularly refreshed.

#### [Our Manchester Disability Plan](#)

Licensees need to comply with and actively contribute to the standards set in the Equality Act 2010. Disabled people want to access the same community and city facilities that everyone else can and we will promote this through promoting accessible venue layouts.

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## Appendix D: Premises operational policies and procedures

This policy sets out several expectations of applicants and Section 4 proposes operational plans and policies that may be expected to be in place. This section sets out suggested approaches to delivering some of these. Operators are not limited to the guidance in this section and are encouraged to develop and implement best practice.

### Local consultation

We encourage applicants for licences to engage and communicate with local stakeholders. In doing so, it is recommended to record:

1. The relevant stakeholders identified;
2. Issues raised by stakeholders during consultation including:
  - a. outcomes and any resolutions (e.g., modifications to the application, undertaking, proposed conditions) in response.
    - i. If you have given undertakings, describe them, including the persons or organisations to whom they were given. (Do not include any person's name – use a general description.)
  - b. For any issues where you were not able to resolve issues, concerns and objections raised by stakeholders:
    - i. any details on why not and describe any undertakings, concessions or modifications to your proposed application that you offered to stakeholders that were not accepted.
  - c. the impact you think your proposed licence will have on the local community.
3. If you will be delivering alcohol or late night refreshment outside of your local community, include information about these areas and the impact you think your proposed licence will have on these areas. (Include any potential negative impacts as well as benefits for stakeholders).

### Alcohol Management Plan

An AMP (Alcohol Management Plan) provides a framework for both patrons and staff in understanding the responsible service principles adopted by your venue.

A good AMP is a statement of actions to be taken by your venue and can cover such things as:

- Not serving minors or intoxicated patrons
- Not conducting irresponsible alcohol promotions
- Ensuring quality food is always available
- Promoting safe transport options to patrons
- Offering discounted non-alcoholic drinks
- Your venue's approach to dealing with problem patrons
- Restricting the types of drinks sold after midnight
- type of business, however its primary focus should be on the responsible service of alcohol.

Your AMP should also include details of how these practices will remain current (including ongoing staff training, and how often the AMP will be reviewed). It is important that your AMP includes what controls are in place to ensure your operations will be run responsibly and does not unduly impact on the quiet and good order of your neighbourhood



Some key areas you may wish to include are:

- Policy/procedures regarding responsible service – what are the obligations of your staff in serving alcohol
- Policy/procedures regarding running responsible alcohol promotions
- Policy/procedures to manage intoxication
- Policy/procedures to manage vulnerability and spiking incidents
- Policy/procedures to manage underage access to alcohol
- Policy/procedures to ensure the security and safety of customers, staff and your local community, including emergency evacuation
- Details of security arrangements, if necessary (how many, when, for how long etc)
- Transport options available to customers and staff, especially for intoxicated customers
- The principal activity that you will conduct on the premises
- The provision of food (types, when it will be available etc.)
- Details of the maximum number of customers permitted on your premises
- Policies and procedures to manage employees, including details on how staff are trained
- A waste management plan, including processes for managing litter in and around the business
- A complaint handling procedure
- Minimising the impact of amplified/outdoor entertainment on the surrounding locality

Your AMP should:

- Be dated and include clear headings and page numbers (e.g., 1 of 4)
- Include the contact details of your local Licensing Police
- Be easily accessible by staff.

Your AMP should not:

- Include wording which may conflict with conditions imposed on your premises licence
- Include trading hours which may conflict with hours imposed on your premises licence

### Alcohol server training

Alcohol-led venues will be expected to ensure all bar staff are skilled in and responsible for:

- Identifying intoxicated and underage patrons
- Managing unruly patrons and incidents
- Understanding legislative provisions for service to intoxicated and underage patrons
- Requesting age identification
- Reducing patron frustration and agitation by effectively managing behaviour

All staff at the premises receive comprehensive induction training prior to being authorised to sell alcohol and refresher training delivered regularly with training records maintained that detail: the content of the training, date, name and qualifications (if any) of the trainer, signatures of the trainer and trainee. Training to include:

- Evidence that the trainee has gained knowledge / understanding of the training (for example, a test or quiz, completed and signed by the trainee)
- The nature of alcohol and its effects as well as unit awareness

- What affects how quickly a person becomes drunk
- How over-service of alcohol impacts on the four objectives of the Licensing Act 2003
- The penalties for selling alcohol to a person who is drunk
- How to make a refusal
- How to record a refusal
- How to recognise drunkenness from a checklist of visible signs
- How to monitor for companions buying alcohol on behalf of a person who is drunk
- What to do with a vulnerable person and how to identify a medical emergency
- The premises policy to ensure the premises operates legally and responsibly to prevent, identify and manage drunkenness

### Disabled access and facilities statement

This plan should set out how accessible the venue is for disabled people. It is particularly important to consider that not all disabilities are obvious, and that disability extends beyond people with mobility difficulties and wheelchair users. Disabilities include:

- People with mental health problems and/or psychological difficulties
- People who are blind or partially sighted
- People with learning difficulties/disabilities
- People who are deaf or hard of hearing
- People who use British Sign Language
- People with long term illnesses
- People with an acquired brain injury

We encourage applicants for a premises licence to include a disabled access and facilities statement with their application. All premises are expected to provide accessible venue layouts that make venues welcoming and open to all and the layout of the premises must enable the safe evacuation of all persons in the event of an emergency.

### Recommended Pre-Opening Checks

- all exit doors are unlocked and can be used
- any chains, padlocks or other fastenings have been completely removed
- panic bolts and latches should be checked to ensure they can be opened easily
- there are no obstructions, such as parked cars outside the doors or rubbish inside or outside exit doors
- escape routes are not reduced by furniture or rubbish
- any fire hazard, such as wastepaper or litter, is removed
- all fire exits signs are lit and clearly visible, for example, not obstructed by curtains or posters.
- Fire doors must be kept closed as the purpose of a fire door is to make sure that fire is contained behind the door while customers and staff escape.
- Fire-fighting equipment, such as fire extinguishers and hose reels, must be in the positions stated by the fire authority and must be ready to use.
- Emergency lighting – Emergency exits must be well lit, and checks should be made to ensure that exit routes, stairways and fire signs are properly lit. Exit signs must always be clearly visible.

- Public address/fire alarm systems – All public address systems and/or fire alarms must be checked and in working order.
- Security briefings to exchange information and intelligence at the start and end of duty

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## Appendix E: Relevant information for residents and other persons on engaging in the licensing process

Residents and businesses can play a vital role in the licensing process, as it will be they who are most likely to be directly affected. This section provides useful information on understanding how to find out about applications and submit any comments (representations) in respect of them. Representations do not have to be objections and can be made in support of an application.

Without limitation, members of the local or broader community may have concerns in relation to such matters as:

- a. undue disturbance to the neighbourhood of the proposed licensed premises caused by the operation of the premises and/or the conduct of patrons;
- b. alcohol-related antisocial behaviour or crime;
- c. alcohol-related hospitalisations and health problems;
- d. increases in pedestrian and motor traffic numbers;
- e. road safety (including but not limited to incidents involving motorists, cyclists and pedestrians affected by alcohol);
- f. contribution to domestic violence associated with alcohol consumption; or
- g. litter and other pollution associated with the operation of the premises.

Other stakeholders may wish to identify the benefits of an application, which may include, without limitation:

- a. increased social and recreational opportunities;
- b. addressing a shortage of entertainment venues in the relevant local or broader community;
- c. increased opportunities for live music and other artistic pursuits;
- d. increased employment and economic activity in the hospitality or tourism industries;
- e. employment in, or other opportunities for, the arts, community or cultural sectors; and
- f. other benefits to consumers.

When framing submissions, stakeholders should consider the likely effect that granting the application would have on the promotion of the four licensing objectives. The Authority can only consider submissions that are relevant to them. Where this is not viable in cases where a party wishes to support an application, letters of support should be directed to the applicant who may provide them as supplementary documentation in support of their application. In all cases, representations should relate to the impact arising from the operation of that premises.

1. The objection should explain why this proposal in this place at these hours will fail to promote the licensing objectives. (Therefore, it is important to read the whole of the application)
2. It should link the representation to the licensing objectives. E.g., “the application will fail to promote the crime prevention objective because...”
3. It should refer specifically to any parts of this licensing policy which bear on the application.
4. It should explain whether the objection would be met were the proposal to be revised (hours, conditions) and, if not, why not.
5. It should contribute relevant information, e.g., the proximity of residential areas or other sensitive uses, or a mounting problem of cumulative impact in the area.
6. It should avoid all contentious language and deal strictly with the issues.

All parties making relevant representations (including responsible authorities) are strongly encouraged to demonstrate any issues of concern and should avoid speculation and suggestion that cannot be shown happening either locally or through comparative examples. Responsible authorities are well placed to provide evidence of complaints, enforcement activity.

Further useful information and guidance can be found on the Council's website at [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing) and at <https://www.gov.uk/beer-licensing>

## Finding out about the application

Applicants for new licences and variations to existing licences are required to advertise the application in two ways, by:

### 1. Placing a notice at or on the premises

- On A4 (or larger) pale blue paper (or on white paper, in the case of an application for a Minor Variation)
- Printed legibly in black ink or typed in a font of at least 16 points
- Placed prominently at or on the premises where it can be conveniently read from the exterior of the premises
- Placed every 50 metres on the external perimeter of the premises abutting any highway (where applicable)

### 2. Placing a notice in a newspaper (not applicable for a Minor Variation)

- Newspaper circulation must be in the vicinity of the premises (or if there isn't a local paper, in a local newsletter or circular)
- Advertisement will be at least once in the ten days following the application being given to the licensing authority

Both notices are required to give a brief description of the application.

A notice will also be published through the MyArea section on the Council's website ([www.manchester.gov.uk](http://www.manchester.gov.uk)) outlining key details in respect of an application, including:

- The name of the applicant or club
- The postal address of the applicant or club
- The postal address and, where applicable, the internet address where we keep our licensing register and where and when the record of the application may be inspected
- The date by which representations from responsible authorities or other persons should be received and how these representations should be made
- That it is an offence to knowingly or recklessly make a false statement in connection with an application, and the maximum fine for which a person is liable on summary conviction for the offence

Additionally, the Licensing Unit provides email notifications of applications received by the licensing authority on a ward-by-ward basis. You can receive notifications by contacting the Licensing Unit (see Appendix 1), providing a valid email address, and confirming the wards you wish to receive notifications for. While the Licensing Unit will normally advise of all applications within the ward, the Council is not legally required to do so. This information is provided as a courtesy to members and residents and there

may be occasions when notice is not provided. Therefore, it is good practice to regularly check the Council's register of licence applications and notices on premises in your local area.

### The provision of representations to applicants and requesting anonymity

The expectation is that all submissions and supporting documents in their original form will be provided to the applicant. However, we will not publicly publish the names, emails, phone numbers and residential apartment or street numbers of those who have made submissions in a personal capacity. Residential street names will be retained to identify the proximity of the submitter to the relevant premises.

If for good reasons, persons making submissions do not wish their identities to be disclosed or the submissions published, they should advise the Authority at the time of making submissions and explain why. The authority will consider whether there are good reasons to withhold this information. As an alternative to requiring anonymity, people may approach local councillors in case they are prepared to submit a representation in their own capacity. However, whether they do so is at their discretion.

### The role of councillors

Councillors can use their position to ensure that representations are made by their constituents, e.g., residents and businesses, residents' associations and chambers of commerce.

They can use their powers to object in their own right. Obviously, objections should not be made for political motives.

If you have concerns regarding a premises and do not wish to submit a representation yourself, an alternative is to contact your local councillor to enquire whether they will make a representation. However, it is a matter for members whether they accept, and it is recommended that such requests are made in writing so that any request can be clearly demonstrated.

Additionally, if you have made a representation, you can nominate any person, including a local councillor, to represent you at the hearing to determine the application. It is your responsibility to ensure that the nominated person is available and willing to represent you. As above, any request should be made in writing so that the licensing authority can be satisfied that the person has been nominated by you prior to any hearing.

### Problems with existing premises

[Section 15](#) of this Licensing Policy provides details on the enforcement approach by Manchester City Council and there are a range of enforcement measures available for agencies that can be used depending on which is most appropriate for the issues to be addressed.

Any person who is experiencing noise problems related to licensed premises should report the issue online [www.manchester.gov.uk](http://www.manchester.gov.uk)

At weekends, or at night (between 6pm and 9am) you can report the noise issue by phone to our Compliance Team on 0161 234 5004

Issues of fighting, offensive behaviour or criminal behaviour should be reported to [Greater Manchester Police](#), using 999 where in progress or urgent.

To report issues with sales of age-restricted items to underage persons, you will need to report the matter via the [Citizens Advice Bureau](#).

The licensing authority encourages licensed premises, residents and businesses to work together in achieving the promotion of the licensing objectives and it can be constructive for residents to approach the manager of the licensed premises in the first instance. Alternatively, any problems can just be reported to the licensing authority for them to address with the premises on your behalf.

Additionally, any person can apply for a review of a licence (see [Section 14](#)).

## Petitions

While there is no prescribed format for petitions and the licensing authority has no power to prescribe the form of petitions, it is suggested that individuals may find the following format useful for petitions submitted in respect of a licence application.

Each page should include:

- The premises' name and address
- The details of the application
- The prayer of the petition, i.e., what the basis of it is
- The full name and address (in print) and signature of each person supporting the petition

Appropriate weight will be given to petitions having regard to the above.

Petitions in respect of an application shall only be accepted if submitted by either a responsible authority or a person who has made a relevant representation, or by the applicant. Where a petition is received, it shall be considered as support for the representation (or application) it was submitted with; the licensing authority will not consider each signatory as a representation and so shall not contact each individual signatory.

## Appendix F: Film classifications

Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to films to be restricted in accordance with:

- Either the BBFC (British Board of Film Classification) classification;
- Or where the film is not classified by the BBFC, any recommendations made by the licensing authority.

In accordance with the guidance issued under section 182 of the Licensing Act 2003, the licensing authority shall concern itself primarily with the protection of children from harm when classifying films. It will not use its powers to censor films, where there is clear cause to believe this is required to promote the licensing objectives.

The licensing authority considers the classification system used by the BBFC to be nationally understood and accepted. It will, therefore, use this system as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). However, it should be noted that the licensing authority is not obliged to follow these guidelines.

Requests for certification by the licensing authority should be made at least 28 days in advance of the proposed screening date and submitted to the Licensing Unit. Requests should include:

- A physical copy of the film or link to a viewable copy online;



- Details of any existing classification issued by an existing classification body, whether within or outside the UK;
- A synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film;
- Any recommendation as may have been made by the filmmaker for the intended audience for exhibition of the film;
- Proposed age certification by the applicant

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## Appendix G: Decision making scheme of delegation

<b>Matter to be dealt with</b>	<b>Licensing Committee</b>	<b>Licensing Subcommittee</b>	<b>Officers</b>
Application for Personal Licence		In cases of police objection	If no objection made
Application for Premises Licence/Club Premises Certificate		If relevant representation made	If no objection made
Application for provisional statement		If relevant representation made	If no objection made
Application to vary Premises Licence/Club Premises Certificate		If relevant representation made	If no objection made
Application to vary Designated Premises Supervisor		In cases of police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of Premises Licence		In cases of police objection	All other cases
Applications for interim authorities		In cases of police objection	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases

Matter to be dealt with	Licensing Committee	Licensing Subcommittee	Officers
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police or Environmental Health objection to a Temporary Event Notice		All cases	
Determination of a minor variation			Principal Licensing Officer in conjunction with Chair of Licensing Committee
Substitution of alternative mandatory condition		In cases of police objection	All other cases
Attaching of interim conditions following a Summary Review		All cases	

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## Appendix H: Glossary

This section explains the key terms used in the policy statement. These terms are all defined in the Licensing Act 2003 ('the Act') and Guidance.

This glossary is only intended to clarify the general meaning of each of the terms. The list is not exhaustive nor are the definitions legally comprehensive.

### *Agent of Change*

The Agent of Change Principle has been incorporated into National Planning Policy Framework from 2018 and outlines that the entity responsible for introducing a change into the built environment carries the onus of mitigating the impacts of that change. Applied to city living and the night time economy, Agent of Change would imply that a developer responsible for building a residential complex needs to 'design in' reasonable noise mitigation (for example sound insulation). Conversely, a late night venue seeking to extend venue space or hours of live performance would need to ensure noise impacts are managed.

### *Amplified music*

Amplified music means music or sound emitted from an amplification device, whether electrical, battery powered or otherwise. This may include music amplified by speakers, sound systems, juke boxes, radios, tape recorders, CD and DVD players, television sets and home entertainment systems.

### *Applicant*

A person making an application for a premises licence or club premises certificate

Application to vary a Premises Licence Where a premises licence holder wishes to amend the licence the Act allows, in most cases, for an application to vary to be made rather than requiring an application for a new premises licence

### *ASB*

Antisocial behaviour. See <https://www.gmp.police.uk/advice/advice-and-information/asb/asb/antisocial-behaviour/what-is-antisocial-behaviour/>

### *BBFC*

British Board of Film Classification: the national body responsible for the classification of cinema films and videos

### *CCTV*

Closed Circuit Television

### *Club Premises Certificate*

Authorisations needed by clubs to carry on certain activities (e.g., selling alcohol to members and their guests). They may be granted to clubs that meet the specific requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith and special conditions where the club supplies alcohol to its members). These commonly include ex-services clubs such as the Royal British Legion, Conservative, Labour and Liberal clubs, working men's clubs, miners' welfare institutions and sports and social clubs. The application process is like that for a premises licence; for

example, there are similar provisions about advertising applications and making representations. However, a key difference is that, unlike a premises licence, there is no requirement to identify a designated premises supervisor to allow the supply of alcohol under a club premises certificate.

### *Cluster*

Night-time venues tend to cluster together. A good cluster is well serviced with a variety of options for activity and connectivity. Different clusters emerge to prominence at various times of night and are increasingly understood and experienced as entertainment destinations.

We acknowledge three varieties of nightlife cluster that have differing planning and management requirements:

1. **Planned Cluster:** A self-sufficient planned arrangement of venues and spaces collectively targeting night-time leisure (e.g., Deansgate Locks, The Printworks, Parrswood)
2. **Organic Cluster:** An unplanned grouping of venues around appropriate public spaces and facilities, often led by a cultural focus or leisure theme (e.g., Peter Street, The Gay Village, Cutting Room Square, Burton Road, Beech Road)
3. **Emerging Cluster:** A cluster currently growing in popularity as a destination, and progressively gathering additional cluster characteristics (e.g., First Street, King Street, Oldham Street)

### *Conditions*

Any limitations or restrictions attached to a licence or certificate and essentially, they are the steps or actions the holder of the premises licence or the club premises certificate will have to take, or not take, when licensable activities are taking place at the premises.

### *Councillor*

An elected member of the Council

### *CSE*

Child Sexual Exploitation

### *Dark Kitchen*

Hot food delivery businesses, where meals are typically ordered online and there is no access to the public.

### *Designated Premises Supervisor / DPS*

The designated premises supervisor (DPS) is a personal licence holder specified in the premises licence. All premises licensed to sell alcohol will have an identified personal licence holder, known as the DPS. The purpose of the DPS is to ensure there is always one specified individual who can be identified as a person in a position of authority on the premises.

### *District Centres*

A term taken from Manchester's Core Strategy to define localities. Manchester's centre hierarchy forms the City Centre; 17 District Centres and 24 local centres. All district centres, whilst at the same level in the hierarchy, perform a role and function reflecting the needs of their local community. Local centres are important in providing sustainable smaller scale shopping and community facilities to local residents.

### *Door supervisors*

Door supervisors are responsible for the safety and security of customers and staff in venues such as pubs, bars, nightclubs and other licensed premises or at public events.

### *Guidance / s182 Guidance*

Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue, and from time to time may revise, guidance to licensing authorities on the discharge of their functions under the 2003 Act. The Guidance is provided for licensing authorities carrying out their functions. It also provides information for magistrates hearing appeals against licensing decisions and has been made widely available for the benefit of operators of licensed premises, their legal advisers and the public. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality.

### *Irresponsible promotions*

An irresponsible promotion is one that encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children.

### *Late night refreshment*

The provision of late night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am, or the supply of hot food or hot drink to anyone between 11pm and 5am, on or from premises to which the public has access. However, there are several exemptions in Schedule 2 of the Licensing Act 2003 (e.g., vending machines in certain circumstances, where the hot food or hot drink is supplied free of charge, or where it is supplied by a registered charity).

### *Licensable activities*

Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated entertainment and the provision of late-night refreshment. If you carry on any of these activities, you are likely to need an authorisation (a premises licence, a club premises certificate or a temporary event notice).

### *Licensee*

Generally, refers to the holder of a premises licence but also includes in this policy an applicant for a premises licence or applicant for a provisional statement unless otherwise stated.

### *Licensing Act 2003*

The Licensing Act 2003 became law on 24 November 2005. The Licensing Act 2003 (the Act) introduced a single licence scheme for licensing premises that:

- Supply alcohol
- Provide regulated entertainment
- Provide late-night refreshment.

### *Licensing authority*

This refers to Manchester City Council as the body responsible for licensing under the Act.

### *Licensing objectives*

Licensing authorities must carry out their functions with a view to promoting four licensing objectives. Each objective is of equal importance. These are:

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

### *Licensing Policy*

See Statement of Licensing Policy

### *Licensing register*

Licensing authorities must keep a register holding a record of all premises licences, club premises certificates and personal licences issued by it and temporary event notices received by it, as well as various other matters set out in Schedule 3 to the 2003 Act. Full details of the information that must be contained in the licensing authority register can be found on the DCMS (Department for Digital, Culture, Media and Sport) [website](#). You can inspect the licensing authority's register of licences during office hours without charge.

### *Licensing subcommittee*

The Council's Licensing Committee delegates several their functions to one or more 'licensing subcommittees'. These are made up of three members of the full licensing committee.

### *Mandatory Conditions*

The 2003 Act provides for Mandatory Conditions to be included in every licence and/or club premises certificate relevant to the supply of alcohol, exhibition of films, and provision of door supervisors. See Section 10 of the s182 Guidance for details,

### *Minor variation*

Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to: · extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am; or · increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

### *Nitenet*

Radio communication network linking licensed premises in the city centre.



### *Operating schedule*

The operating schedule is the part of the application form for a premises licence or club premises certificate where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities. Among other things, it must include a description of the proposed licensable activities, proposed opening hours and times for licensable activities, proposed duration of the licence or certificate, and a statement of the steps the applicant proposes to take to promote the licensing objectives (for example, arrangements for door security to prevent crime and disorder). The significance of the operating schedule is that if the application for the premises licence or club premises certificate is granted, it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them.

### *PACT kits*

Public Access Trauma first aid kits. Created by experts in medicine, first aid and counter terrorism policing, Public Access Trauma (PACT) First Aid Kits are designed to save lives by being kept in public places to which the public have access. These first aid kits, for use by any person regardless of their level of training, supports the treatment of life-threatening injuries and will significantly enhance an organisations first aid preparedness, increase the first aid resilience amongst the public and ultimately, improve the survivability of a person with life threatening injuries.

### *Personal Licence*

Personal Licences authorise an individual to supply alcohol, or authorise the supply of alcohol, in accordance with a premises licence or a temporary event notice. Not everybody who works in any licensed premises will need to hold a personal licence; however, all premises licensed to sell alcohol will have an identified personal licence holder, known as the designated premises. In addition, all supplies of alcohol under a premises licence must be made or authorised by a person who holds a personal licence.

### *Premises Licence*

A premises licence authorises the use of premises for ‘licensable activities’.

### *Provisional statement*

This ‘statement’ can be applied for where premises are being or about to be constructed for licensable activities. This will give the owner some reassurance about whether a licence would be granted if the premises were built as set out in the application for the provisional statement. However, a provisional statement is not an authorisation, so the relevant permission must still be obtained to carry on licensable activities.

### *PSPO (Public Space Protection Order) / Public Space Protection Order*

Public Space Protection Orders are used by local authorities to deal with the problems of antisocial alcohol drinking in public places. Once a DPPO is in place the police can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is. This power has been replaced by Public Spaces Protection Orders (PSPO's), which were brought in under the Antisocial Behaviour, Crime and Policing Act 2014. PSPO's specify an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. PSPO's impose conditions or

restrictions on people using that area. See [Public Space Protections Orders \(PSPO\) | Manchester City Council](#) for further information.

### *Qualifying clubs*

Qualifying clubs are those clubs that meet the specific requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is set up and conducted in good faith, and special conditions where the club supplies alcohol to its members). These are clubs where members join for a particular social, sporting or political purpose and then combine to buy alcohol in bulk for its members (see examples under ‘club premises certificate’ above). Such clubs carry on activities from premises to which public access is restricted and where alcohol is supplied other than for profit.

### *Regulated entertainment*

The provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:

- The performance of a play
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to live music, recorded music or dance.

Schedule 1 of the Licensing Act 2003 has further specific rules about where the definition of ‘regulated entertainment’ applies. These rules concern the intended audience and whether the regulated entertainment is for profit. Section 16 of the s182 Guidance provides an overview of the circumstances in which entertainment is licensable and when it is exempt.

### *Representation*

These are written representations about the likely effect of the grant of an application for, or variation to, or review of, a premises licence or club premises certificate, on the promotion of the licensing objectives. Any persons, such as residents, or businesses and responsible authorities, such as Environmental Health, can make representations. Representations can be in support or against an application.

### *Relevant entertainment*

Forms of adult entertainment defined and licensed under the Local Government (Miscellaneous Provisions) Act 1982. It is defined as any live performance or any live display of nudity which can reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). Examples include lap dancing, pole dancing, table dancing, strip shows, peep shows, live sex shows.

### *Relevant representation*

The term ‘relevant’ refers to representations (see above) that are considered ‘valid’ by the licensing authority. The representations must be made within 28 days after the day on which the application is given

and if made by a person other than a responsible authority must be made seriously (i.e., must not be frivolous or vexatious).

### *Responsible Authorities*

Responsible authorities include public bodies that must be notified of applications and are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. Responsible authorities include the following for the area in which the premises are situated:

- The licensing authority
- The chief officer of police
- The fire authority
- The planning authority
- The health authority
- The health and safety authority
- The environmental health authority
- The body recognised as being responsible for protection of children from harm · Inspectors of Weights and Measures (trading standards officers)
- And in respect of vessels only – i) The Environment Agency ii) The British Waterways Board iii) The Maritime and Coastguard Agency, and if different from these: iv) The relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.

### *Review*

Interested parties, including residents, can request a review of a particular premises licence when problems occur that are related to the licensing objectives. Following the review, the licensing authority can consider a range of responses such as suspending or revoking the licences, excluding certain licensable activities or changing conditions attached to a licence. However, it can only take these actions where they are appropriate to address the problem and promote one or more of the four licensing objectives.

There is also an expedited review process, which is only available to the police to use. This process enables the licensing authority to consider the imposition of interim steps in advance of the review hearing.

### *Risk assessment*

The overall process of identifying all the risks to and from an activity and assessing the potential impact of each risk.

### *SEV (Sex Entertainment Venues)*

A Sexual Entertainment Venue is separately licensed under the Local Government (Miscellaneous Provisions) Act 1982 to provide ‘relevant entertainment’ (see above) before a live audience for the financial gain of the organiser or the entertainer, subject to some exemptions.

### *SGSA*

Sport Ground Safety Authority

### *Statement of licensing policy*

Every licensing authority will publish a ‘statement of licensing policy’ every five years. This will set out the general approach the licensing authority will take when making licensing decisions.

### *Temporary Event*

Notice (TEN) This is the notice that organisers of small-scale temporary events must give to make it a ‘permitted temporary activity’. This notice must be in a prescribed form. There are certain limitations imposed on this system.

### *Variation*

See Application to vary a premises licence

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