

Licensing Policy Committee

Minutes of a meeting held on 31 October 2023

Acting under Delegated Powers

Present: Councillors Grimshaw (Chair), Davies, Evans and Flanagan

Apologies: Councillor Leech

LPC/23/03 Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 10 March 2023.

LPC/23/04 Statement of Licensing Policy 2023 - 2028

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented a proposed final revision of the Statement of Licensing Policy under the Licensing Act 2003.

The Committee had been invited to:

- i. Review the responses received to the consultation and the proposed changes to the policy.
- ii. Consider any recommendations by the Licensing Committee on final content of the policy.
- iii. Recommend to Council to approve the policy for publication subject to any final changes required by this Committee.

The Principal Licensing Officer presented the report by providing an introduction to The Licensing Act 2003 that had come into effect on 24 November 2005 and the requirements this placed on each Licensing Authority to publish a statement of licensing policy to show how it intended to achieve the four licensing objectives.

The Principal Licensing Officer described that the policy was published for a five-year period although the licensing authority must keep its policy under review and make such revisions to it, at such times, as it considered appropriate.

The Principal Licensing Officer described that there were several issues that had gained further prominence since the last policy had taken effect, namely, Martyn's Law and consideration of counter terrorism security measures at licensed premises; Agent of change; spiking, vulnerability in the Nighttime Economy (NTE), women's safety, water safety and the increase in delivery services. These had been outlined and addressed within the draft policy to enable all relevant parties to understand what considerations they should make in each regard.

The Principal Licensing Officer referred to the consultation strategy that had been undertaken and provided a summary of the responses as detailed within the covering report and accompanying appendices.

The Principal Licensing Officer referred to the policy for Fallowfield and Withington, noting that this had been proposed to ensure that there was some increased scope for applications to be granted, subject to limitations. There was also concern about the saturation of hot food takeaways and issues of litter arising from them. It was recognised that in Fallowfield, there was a need to diversify the local sociable economy and there was a recognised local support for ensuring this. Similarly, in Withington, there was support for ensuring that there were opportunities for good operators to flourish and to promote vibrancy, within reason. The proposed NTE policy for Pubs, clubs and bars, including other primarily drinking establishments: changed from ‘Policy was to refuse except in exceptional circumstances’ to “Applications will be considered on their merits having regard to the local area objectives”.

The Principal Licensing Officer summarised the key changes described in the Statement of Licensing Policy 2023 – 2028 that was appended to the cover report, noting that consideration had been given to the phases identified (Twilight/Evening Economy/NTE/Late Night Economy) but it was proposed to retain them as originally proposed:

- Section 2 had been merged with previous Section 15 (Determining applications) to present the decision-making considerations at an earlier stage of the document. In turn, it is hoped that this would then enable readers to home in on those subsequent sections most relevant to them.
- Section 5: Steps rephrased to improve clarity and revised to ensure comprehensiveness.
- Restructured Section 2 to incorporate previous Section 6 (General approach to determining applications) to give a more direct approach.
- Addition of detail on what might constitute an exception to any special local area policies (Section 6).
- Area profiles updated with additional detail e.g. recognition of recent closures on Deansgate Locks, increased prominence of Bridge Street, and including relevant area boundaries.
- Section 4 – clarification around expectations of venue ‘Plan of Management’.
- Updates to responsible authority contact details in Appendix B.
- Additional information in Appendix E around consideration of representations.

The Committee noted that the Licensing Committee had considered the proposed final revision of the Statement of Licensing Policy at their meeting of 23 October 2023. Having considered the report, the Licensing Committee made the following recommendation to the Licensing Policy Committee.

Remove the current area-based policies in place for Fallowfield and Withington and apply these to all areas of the city, outside of the City Centre.

The Committee debated the recommendation and agreed that a meeting of the Licensing Committee should be convened at the earliest opportunity, followed by a

meeting of the Licensing Policy Committee to reconsider the Statement of Licensing Policy 2023 – 2028 and to enable officers the opportunity to provide for clarification the location maps of the areas incorporated in the proposed Fallowfield and Withington area-based special policies.

Decision

The Committee recommend that a meeting of the Licensing Committee should be convened at the earliest opportunity, followed by a meeting of the Licensing Policy Committee to reconsider the Statement of Licensing Policy 2023 – 2028 and to enable officers the opportunity to provide for clarification the location maps of the areas incorporated in the proposed Fallowfield and Withington area-based special policies.