

**Manchester City Council  
Report for Information**

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

**Subject:** Licensing update report

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

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**Summary**

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

**Recommendations**

That Members note the report.

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**Wards Affected: All**

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

	of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.
A connected city: world class infrastructure and connectivity to drive growth	Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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

## **1.0 Introduction**

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

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

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

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

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

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

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

3.5 The decision to ban commercial third party sales was announced in December 2018 and follows years of high-profile campaigning by animal welfare organisations. It was taken following a public consultation, from which there was over 95 per cent support for a ban.

3.6 It is proposed that the removal of third-party selling would eradicate irresponsible breeding practices such as puppy farming, smuggling or trafficking; further protect the welfare of puppies and kittens; and is an important step to improving standards in breeding establishments. It has been suggested that a ban would:

- Ensure consistency with government advice that purchasers should seek to see puppies or kittens with their mother.
- Incentivise welfare improvements in high risk commercial dog breeding establishments through ensuring transparency, accountability and appropriate remuneration for breeders.
- Assist purchasers to make informed choices based upon seeing a puppy or kitten with its mother and encourage responsible buying decisions.
- Prevent the sale of puppies which have not been bred to recognised standards of welfare in this country.

3.7 Puppy farms are high volume breeding establishments where dogs are bred purely for profit. The Kennel Club advises that the puppies bred by puppy farmers are more likely to suffer from common, preventable, infectious diseases, painful or chronic inherited conditions, behavioural issues and shorter life spans, and that such businesses typically:

- Separate puppies from their mothers too early (8 weeks is generally recommended);
- Ignore guidelines about the maximum frequency of litters (the Kennel Club will not normally register more than four litters from any one bitch because of concerns that the current legal limit of six litters per bitch can be potentially detrimental to a dog's welfare);
- Provide inadequate socialisation of puppies;
- Sell puppies through third parties i.e. away from the environment in which they are raised;
- Keep puppies in poor husbandry conditions and fail to follow breed specific health schemes or to apply basic, routine health measures such as immunisation and worming.

3.8 The legislation will come into force on 6 April 2020, giving industry and consumers time to prepare for the change. Animal Welfare Minister, David Rutley said: "The legislation laid in Parliament today is the next crucial step in stamping out the appalling trade of farmed puppies and kittens. As well as protecting and improving the lives of animals, it's also about protecting the public from being tricked by unscrupulous sellers. Our ban on third party sales means that people can see first-hand that their new pet is healthy and has come from a responsible breeder."

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

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

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

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

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

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

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

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

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

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

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

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

## **6.0 Key Policies and Considerations**

6.1 None

## **7.0 Conclusion**

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