

Citizenship and Inclusion Overview and Scrutiny Committee

Minutes of the meeting held on 14 November 2007

Present:

Councillor Bridges – In the Chair

Councillors R. Battle, Chowdhury, Hassan, Hitchen, Keller, Kirkpatrick, Morrison and Siddiqi.

Also Present:

Councillor J.Battle, Deputy Leader

Councillor Stevens, Deputy Leader

Councillor Swannick, Executive Member for the Environment

CI/07/20 Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 17 October 2007.

CI/07/21 Implementation of the Licensing Act 2003

The Committee received a report in relation to the local implementation of the Licensing Act 2003 which came into effect in November 2005. The Committee noted the four key objectives of the Licensing Act of a) preventing public nuisance; b) public safety; c) preventing crime and disorder, and d) protecting children from harm. The report indicated that the success of the local implementation of the Act was anchored in a determination to get licences right from the start and that the four objectives above were all met, and that the responsible authorities scrutinised every application and made representations about their concerns that premises may cause disturbance to residents. Close working between the Responsible Authorities, particularly Environmental Health, Trading Standards and GMP, and cooperative working with the licensed trade was also key to the successful implementation of the legislation. The Committee also noted the outcomes of enforcement work, the focus on under-age sales of alcohol, and action taken to review licences previously granted which had resulted in five licences being revoked.

Referring to the position in relation to 24-hour licenses members acknowledged that very few had been sanctioned, but concerns were expressed that applications for licence variations were not seen by the trade as a backdoor means of securing licensing hours that were increasingly near to 24 hours. Officers responded by clarifying that variations were not exclusively about increased hours and that indeed some variations received had been for reduced hours of operation. The Committee was also reminded that although there were many licensed venues in the city centre

operating for more than 12 hours, this had been the situation long before the Licensing Act 2003 was enacted.

Members were also interested to explore how the impacts of licences on local communities were being 'policed', specifically in terms of disruption caused by customers leaving premises, and that whilst the main focus of the report in this respect was in relation to city centre venues it was equally important that district centres and premises in community settings received equal consideration. Officers fully accepted that the responsibility of the Council and its partners extended across the community and suggested that this was already evidenced in the strong community support from local people making representations in relation to licensing applications in their local area. The Committee was also informed about the work being done to protect young people, and specifically in relation to action against off-licenses and under-age sales, and it was agreed that the officers would report on this in more detail in February.

The Committee then turned to consider the potential for considering invoking cumulative impact agreements in certain parts of the city and a member asked if these powers extended to off-licenses. Councillor Swannick responded that the power was specific to licensed venues and suggested that any arguments to invoke the powers would need to be justified against the four principal objectives that underpinned the licensing policy and be supported by a robust evidence base, and that whilst no specific proposals were being pursued at this time he said that there were clearly some areas of the city where the situation needed to be carefully monitored.

Councillor Jim Battle reminded the Committee that the Council's objective in delivering the new legislation had been to ensure that powers were used to best effect to protect the safety and well-being of customers and residents alike, and to provide effective management of the night-time economy. The implementation of the strategy had been hugely successful in meeting these key objectives but he warned that there was no room for complacency and that the Council and its partners would continue to vigorously enforce conditions attached to existing licences; to seek to apply new conditions in the case of variations, and to rigorously test new applications being made against the policy framework.

Referring to the proposed development of licensing forums, the Chair asked how it was envisaged that these would interact with existing local action partnerships and the ward co-ordination process. Councillor Jim Battle suggested that the licensing forums would be complementary to the work of LAPs and ward co-ordination and that there would be a key role for crime reduction officers and ward co-ordinators to seize the initiative to make structured contribution to the licensing process.

Decision

1. To thank the officers for the report and to request a follow-up in February 2008 dealing with (a) detailed action in relation to under-age sales from off licences (b) the number of licensees involved in under-age sales that only received a warning or caution (c) the number of appeals against refusal to grant licences, or against conditions applied to licences, that have been

successful (d) the number of refused variations that have been subject to appeal, and (e) the impact of staggered closing times and the management of city centre taxi ranks.

2. To request that arrangements are made for all members of the Committee to have an opportunity to attend a meeting of a Licensing Hearing Panel.

CI/07/22 Community Welcome

The Committee received a report providing background information to inform a discussion on the impact on community cohesion of new residents and how they might be better supported to integrate with existing communities by being welcomed in a way that helps to clarify collective rights and responsibilities. The report highlighted the diversity of the city; the history of migrations into Manchester and the extent to which this contributes to the dynamics of the city and its success at many levels. The Committee noted that the manner in which new arrivals integrate into society and how people from different backgrounds get on together – “community cohesion” – continued to have a national profile as a result of the inquiry reports into disturbances in a number of northern towns in 2001.

In a local context the Committee noted that the most recent residents’ survey showed that 77% of Manchester residents believed that their local area is a place where people from different backgrounds get on well together. The Committee noted examples of positive work to welcome new residents into Manchester in different contexts; welcoming migrants into an area without a history of migration – the New Moss Brook Agreement; responding to refugees from a particular ethnic group – Somalis into Hulme and Moss Side, and, more widely, welcoming and supporting the annual influx of students into Fallowfield, Rusholme, Withington and Levenshulme.

The Chair indicated that there were a number of issues within the report that it might be helpful to look at in more detail through a task and finish group, and he invited the Committee to think about this as they went through the report.

A member suggested that greater use could be made of websites to engage with young people from every culture. Officers agreed that more needed to be done on this, specifically in relation to students, and outlined the important work that was being done with Government to ensure that local population data was more effectively captured. Members also suggested that means needed to be explored by which local councillors could receive information about new people coming into their communities and officers suggested that Mancunian Agreements were useful vehicles for locals councillors to engage with new arrivals. A member welcomed the priority already given to celebrating cultural diversity but suggested that more could be done in terms of highlighting the contribution that people from different cultures are making to the economic success of the city.

Councillor Stevens welcomed the positive responses from the Committee to the direction in which this piece of work was being developed, and she stressed the importance of fully engaging the Council’s partners in GMP and the health service in this important work.

Decision

To recognise the good work that is being done, to recognise that more remains to be done and to be minded to establish a working group to work with officers to assist them in shaping emerging policies in this area, and, to this end, to request a further report in March 2008 reviewing progress and mapping issues to be taken forward in the period April – June 2008.

CI/07/23 Information and Scanning Report

The Committee received a report of the City Solicitor.

Decision

To note the report and to request that the report on the use of Recreational Drugs is reinstated to December in the Work Programme.