

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Friday, 6 March 2020

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Andrews and Jeavons

LACHP/20/31. Summary Review - Three Legs of Man, 408 Stretford Rd, Manchester M15 4AE

Consideration was given to the report of the Director of Planning, Building Control and Licensing regarding an Interim Steps hearing for a Summary Review of the premises licence at Three Legs of Man, 402 Stretford Road, Hulme, Manchester M15 4AE.

The summary review was requested by GMP following an incident at the premises which took place on Saturday 29 February 2020. The application was made under section 53(B) of the Licensing Act 2003.

The Hearing Panel took into account the written and oral representations of both parties presented at the hearing and understood that a very serious criminal incident had taken place at the premises. The Hearing Panel had been made aware via the report from GMP that, whilst there had been no injuries sustained as a result, this incident fell under the definition of Serious Crime in the statutory guidance at 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000. The Hearing Panel heard GMP evidence, confirmed in witness statements, which clearly indicated that the Designated Premises Supervisor (DPS) of the premises had not taken measures to protect the public and/or avoid what could have been a very serious incident. The Hearing Panel viewed this inaction on the part of the DPS as extremely concerning and raised serious questions over whether the DPS was capable of upholding the licensing objectives, specifically relating to Crime and Disorder and Public Safety.

The Hearing Panel were aware that GMP requested the removal of the DPS pending the full hearing in their application and, during the hearing, the Premises Licence Holder did not oppose the removal of the DPS and stated that they would run their own internal investigations and work with GMP to reach an agreed solution to prevent any such incidents occurring in future.

The Hearing Panel considered the Council's statement of Licensing Policy, the Licensing Act 2003, the Guidance issued by the Secretary of state under Section 182 of the Act and the licensing objectives in relation to the incident and agreed GMP's proposal to remove the DPS from the licence pending the full hearing on 27 March 2020.

Decision

To remove the Designated Premises Supervisor from the licence with immediate effect.