

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 21 December 2021

Present: Councillor Andrews – in the Chair

Councillors: Flanagan and Hassan

LACHP/21/181. Summary Review - Queens Hotel, Sedgeford Rd, Manchester M40 8QU

Consideration was given to the report of the Head of Planning, Building Control and Licensing regarding a Summary Review of the premises licence at Queens Hotel, Sedgeford Rd, Manchester M40 8QU.

The summary review was requested by GMP following an incident at the premises which took place on Wednesday 24 November 2021. The application was made under section 53(B) of the Licensing Act 2003.

The Hearing Panel considered the written papers, oral representations of all parties as well as the relevant legislation.

GMP addressed the Hearing Panel and gave details of the reasons for their review application, having been informed of the incident whereby youths hid individual packets of class A drugs, a knife, a walkie talkie and stolen spirits in and around the Queens Hotel on 24 November 2021. Following this, an Interim Measures hearing was held on 26 November 2021 and the Hearing Panel suspended the licence pending the full review and any further information as CCTV footage was not available. The PLH then Appealed against the Interim Measures on 30 November 2021 and provided CCTV to back up their claim that the males were not linked with any operations at the Queens Hotel. Following this, the suspension was lifted, and the pub allowed to trade again. However, GMP still have concerns that the person in charge was unable to operate the CCTV system when GMP first attended. GMP therefore requested a new CCTV condition to be placed on the licence. Further they stated that other conditions on the Premises Licence are not worded robustly enough to ensure that the 4 licensing objectives are upheld. Therefore, GMP stated that they were looking to update the conditions on the licence. GMP confirmed that none of these conditions would be at any expense to the premises. GMP concluded by stating that their conditions had been included in the supplementary agenda.

The husband of the PLH, representing the Queens Hotel, addressed the Hearing Panel and stated that the business had taken a downward turn due to the suspension, with many patrons cancelling their Christmas bookings as they did not know what the outcome of the review would be. The representative stated that GMP had helped with a later licence to help them earn back some missing profits and stated that they were unable to obtain the CCTV in time for the first hearing. The representative explained to the hearing panel that they did not know the CCTV had to be accessed by a code however they have now brought a new CCTV system which they can access. The representative stated issues with the Appeal hearing as dates were confirmed for 30 November 2021, then 2 December 2021 and then back to the

original date via a virtual hearing. The representative added that the premises has had a clean record for decades and that they didn't want any conditions to put staff in danger as they were all poored from the local area.

The Legal adviser to the Hearing Panel confirmed that there are 48 hour time limits for Interim Measures hearings and also Appeals against these measures and that there had been difficulty with Councillor availability, but stated that the Council had met the deadlines to provide the premises with an appeal hearing.

GMP addressed the concern over staff being in danger, stating that the incident log did not need personal details adding.

The representative of the premises licence holder did not object in principle to the proposed conditions by GMP but requested some time to enable discussion with the police and the subsequent implementation of them.

In their deliberations, the Hearing Panel felt that it was unfortunate for the premises to have been suspended but noted that CCTV evidence at the first hearing may have prevented the suspension. In considering the future of the premises, the Hearing Panel deemed it appropriate to attach GMP's conditions and remove condition 4 on the current licence regarding CCTV and update them with GMP's wording.

Decision

To attach and modify conditions on the licence as follows:

Remove condition 4 on the licence and replace with:

CCTV cameras are located within the premises to cover all public areas including all entrances and exits. The system records clear images permitting the identification of individuals. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

The CCTV system shall operate at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

Conditions added to the licence:

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details of:

- All alleged crimes reported to the venue or by the venue to the police
- All ejections of patrons
- Any complaints received
- Any incidents of disorder
- Seizures of drugs, offensive weapons, fraudulent ID or other items

- Any refusal of the sale of alcohol
- Any faults in the CCTV system, searching equipment or scanning equipment
- Any visit by a responsible authority or emergency service
- The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
- All staff authorised to sell alcohol shall be trained in the following:
- Relevant age restrictions in respect of products
- Prevent underage sales
- Prevent proxy sales
- Maintain the refusals log
- Recognising signs of drunkenness and vulnerability
- How to refuse service
- Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services.
- The conditions in force under this licence.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.