

## Licensing Sub Committee Hearing Panel

### Minutes of the meeting held on Friday, 1 July 2022

**Present:** Councillor Andrews – in the Chair

**Councillors:** Flanagan and Riasat

**LACHP/21/50. Summary Review of Premises Licence - Bloom, 100 Bloom Street, Manchester, M1 3LY**

Consideration was given to the report of the Head of Planning, Building Control and Licensing regarding a Summary Review of the premises licence at Bloom, 100 Bloom Street, Manchester, M1 3LY.

The summary review was requested by GMP following an incident at the premises which took place on Wednesday 29 June 2022. 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, believing that a serious crime had taken place at the premises. GMP stated that during the early hours of Wednesday 29<sup>th</sup> June 2022, a 15-year-old male had gained entry to the premises. At around 4.15am, the male approached a group of adult females and offered to sell them drugs. One of them accepted and went to the male toilets with him. One of the females' friends has reported that a conversation took place outside of the toilets with a security guard, who had turned to the male and said "Have a good one mate" as the male and female entered the toilets. They then entered a cubicle together. Once inside the cubicle, the male had raped the female customer. The female customer then texts her friends for help, who assisted in explaining to staff at the premises what had happened. Security staff located and detained the male. Initially, the victim did not want the police to be involved so the male was allowed to leave the premises. At around 5.00am, one of the victims' friends reported the incident to GMP and a crime report for rape has been recorded and is being investigated.

GMP felt a number of things about the situation to be of concern. One is that a 15-year-old customer was able to gain entry to the premises. Then they were able to attempt to deal drugs. A female customer was allowed to enter the toilets with a male customer, alongside seeming approval from security staff. When staff were informed about the incident, they did not contact GMP and allowed the offender to leave the premises. This meant that the opportunity to apprehend a potentially dangerous offender was missed, possibly hindering any investigation. GMP requested that for these reasons, the Hearing Panel consider a suspension of the licence until the full Summary Review is heard.

In questioning, the Panel sought to establish how the 15-year-old male had gained entry and if there was any further information in what appeared compliance from

security staff in allowing drug use/dealing to occur. GMP stated that the 15-year-old male, from a photo they had seen, did not look 25. However, GMP noted that they had used a fake ID that said the customer was 19 but had their picture and name on. The premises uses an ID scanner to detect fake ID's and thus it is being looked into how this failed on this occasion. GMP then informed the Panel that they had been informed a member of security entered the toilets whilst the offender and victim were in the cubicle. They had seen them but left them in there. GMP suggested that they do not believe the member of security knew what was happening, but felt it was not good practice.

The Panel then sought further information about why GMP had not been contacted initially, if security staff are trained in safeguarding, if CCTV had been obtained and if the ID scanner keeps a copy of those scanned. GMP felt that the lack of contact from the premises was one of the most surprising actions of the premises. They did not understand how they could allow something so serious to go unreported. GMP felt that the opportunity to detain the offender at the scene and forensic opportunities had been lost because of this. SIA training provides security staff with full training on safeguarding. GMP stated that their CID colleagues had a copy of the CCTV from the premises. GMP believed that the ID scanner did keep a copy of each item scanned and stated that it also takes a picture of each person entering.

The Premises Licence Holder's agent stated that their client understood the seriousness of this and is undertaking a full investigation. For that reason, they had no comment to make at that time.

The Legal adviser to the Hearing Panel sought clarity from the PLH's agent that they had no objection to the application for a suspension of the licence. The PLH's agent confirmed that to be the case.

In summing up, GMP requested that the Hearing Panel consider the serious nature of the crime.

In their deliberations, the Hearing Panel had grave concerns about how a 15-year-old male had gained entry to the premises, with drugs on their person. They were shocked that security staff had allowed the male to enter the toilets with a female customer, where the alleged rape has taken place. They were also shocked that no one from the premises had contacted GMP to report the crime. The Hearing Panel were satisfied that the evidence supplied by GMP clearly showed the premises to be undermining the Licensing condition of the Prevention of Crime and Disorder. The Hearing Panel acknowledged that the PLH had no objection to a suspension of the licence, pending full review.

## **Decision**

To suspend the premises licence with immediate effect, pending full review to be heard on 25 July 2022.