

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Wednesday, 7 December 2022**

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

**Councillors:** Andrews and Grimshaw

#### **LACHP/21/83. Summary Review of Premises Licence - The Levenshulme, 959 Stockport Road, Manchester, M19 3NP**

Consideration was given to the report of the Head of Planning, Building Control and Licensing regarding a Summary Review of the premises licence at The Levenshulme, 959 Stockport Road, Manchester, M19 3NP.

The summary review was requested by GMP following an incident at the premises which took place on Saturday 03 December 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 serious crime and disorder had taken place at the premises. GMP stated that on the night in question, they received a call at 01.51am from the Designated Premises Supervisor (DPS), stating that a victim had been stabbed. On arrival, GMP saw a male victim with a wound to their abdomen. The male and his partner had stated they had been assaulted by door staff.

GMP, following review of CCTV footage, noted that the victim had began an argument with an unknown male. This led to a drink being thrown, and punches, by the victim of the stabbing. During the altercation, two door staff are present but do nothing to de-escalate the situation. The partner of the male with the stab wound had been filming the door staff, which provoked one of the door staff to attack the male filming.

A male, now identified by GMP and a regular at the premises, approaches the scene and is seen to remove an object from his back pocket and make a stabbing motion towards the victim's abdomen area. The stab victim does not appear to notice their injury and continues in the fight. The male with the knife appeared to clean it on his jacket and place it back in his pocket. He does not get involved further with the fight but helps the male he had stabbed to gather his belongings. The door staff then got into their car and drove off. After the door staff had left, the windows of the premises had been smashed by the group involved in the fight.

GMP stated that there were concerns that a regular had entered the premises with a knife. There were also concerns that door staff had assaulted someone. GMP believed the premises to be associated with serious crime and serious disorder.

The panel questioned if the door staff had been arrested and reported to SIA, sought clarity on the victim and their injuries and clarity on the premises Licence. The door staff had not yet been arrested or reported to SIA, but they will be reported. The victim sustained injuries requiring hospital treatment but not life threatening. The injuries sustained were consistent with a knife wound or another pointed sharp instrument. GMP noted the Licence has unrestricted opening hours, with a 1.00am terminal hour for serving alcohol. GMP believed that those involved had been asked to leave the premises at around 1.30am but had remained around the premises. The PLH noted that the DPS had struggled to get the group to leave. They had attempted to leave with drinks and the DPS managed to get all drinks decanted into plastic cups. GMP noted that internal CCTV had not been seen.

The PLH's agent addressed the panel, noting the company owns a large number of pubs across the country and are not happy when things go wrong. This particular premises is a franchise, whereby the DPS is not employed by the PLH. They noted there had been full cooperation by the premises and its staff with GMP. By choice, the DPS had closed the pub since the event to allow time to reflect. The replacement of the company who employed the door staff was underway. The agent noted that bad things can happen in well managed pubs. They noted that the DPS, only in place for four months, had done good work in removing unsavoury elements from the premises. This group were unknown to the premises and believed to possibly be from the Travelling community. The DPS had attempted to close at around 12.40am but this group would not leave. Once the DPS managed to get the group to leave, the problems began outside, which were not helped by the door staff. The agent noted the premises would not reopen until GMP were satisfied with their additional measures to prevent another incident such as this. Thus, the agent requested that the panel did not suspend the licence. The agent stated that the premises do not know the male who stabbed the victim very well but noted they were unsure as to why they got involved. The agent stated that the male who stabbed the victim was assisting in gathering their belongings and told the victim it was the door staff who stabbed him. This was why the windows had been smashed as the group believed the premises was protecting the door staff.

The panel sought clarity on if the premises would reopen if the licence was not suspended and on the unsavoury elements referenced in the agents' statement. The agent stated that their plan was to work alongside GMP and not reopen the premises until they were satisfied. The PLH stated that the unsavoury elements referenced related to illegal substances being taken at the premises that the DPS had dealt with. They noted the company who supplied the door staff had already been replaced and informed the panel that they will wear bodycams in the future.

The applicant's agent, in their summary, stated there was nothing to add except that they were sorry to be in this situation.

GMP summed up by stating that the DPS's Victim Impact Statement had said that they were frightened to reopen the premises due to the fear of repercussions. GMP shared those concerns and asked for the panel to suspend the licence with immediate effect, pending the outcome of a full review.

The panel sought clarity on if the male victim and his partner were part of the larger group involved in the fighting. GMP confirmed that they were but the male with the knife and male who was involved in the start of the fight were not.

In their deliberations, the panel noted the difficulties the DPS had in asking people to leave the premises. They were satisfied that the DPS had replaced glasses by decanting drinks into plastic cups. They noted that a rogue member of door staff and a regular at the premises who caused the issue to escalate. However, the panel were concerned about the fear of repercussions from the DPS. They noted the inaction of the door staff and their participation in violence. The panel were not satisfied that staff or customers would be safe if the premises was to reopen. The panel accepted that serious crime and disorder had taken place that could have been prevented.

### **Decision**

To suspend the premises licence with immediate effect, pending full review to be heard on 20 December 2022 pursuant to Section 53B (3) and 53B (5) of the Licensing Act 2003.