

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Wednesday, 5 April 2023

Present: Councillor Andrews – in the Chair

Councillors: Flanagan and Hewitson

LACHP/23/16. Summary Review Interim Steps - Vision, Arch 58, Whitworth Street West, Manchester, M1 5WW

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing. In addition to that report, the Hearing Panel also considered the written papers that the parties submitted and the oral representations of the parties who attended as well as the relevant legislation, namely Section 53B of the Licensing Act 2003, Section 182 guidance, and the Summary Review guidance.

In line with the established procedure, representatives from Greater Manchester Police (GMP) addressed the Hearing Panel to present the reasons for the request, by outlining the incident which took place. This was then, followed by a statement and representations made by the Designated Premises Supervisor (DPS), the premises' General Manager and their legal adviser.

The Hearing Panel accepted that the establishment had been operating for 13 years and that from the evidence presented there had been no major recorded incidents during that time. The Panel also acknowledged that on the night of the incident the General Manager and premises staff had made every attempt to support the victim; and had duly alerted the incident to GMP and the Ambulance Service.

In addition, the premises had utilised the NiteNet system to notify other licensed premises in the area of the offender(s) and had co-operated with GMP by immediately closing the premises voluntarily, in order to preserve the crime scene as well as retaining CCTV evidence and had provided this to GMP.

After careful consideration, the Panel resolved this to be an isolated incident however, the Panel also took the view that the premises' current 'random' search policy was insufficient and had contributed to an incident that had undermined the licensing objective of the Prevention of Crime and Disorder.

The Committee acknowledged the seriousness of the incident and in considering the immediate measures necessary to prevent serious crime and/or disorder occurring or reoccurring at the premises, they deemed it necessary and proportionate to modify the conditions of the licence pending the full Review hearing namely, to amend Condition 10, Annex 2 to read as follows: -

10. *Every customer entering or re-entering the premises will be searched with a metal detector wand by an SIA registered door supervisor and this is to be carried out in full view of recordable CCTV camera(s). Any person in possession of a weapon will be refused entry and the police will be called. Any person refusing to be searched or not passing a*

search will be refused entry. Notices stating that every customer will be searched with a metal detector wand will be displayed prominently at the entrance to the premises.

Decision

To modify the premises licence with immediate effect with regard of Condition 10 on the premises (as set out below), pending the full Review to be heard on a date to be confirmed pursuant to s53B(3)(a) and (4) of the Licensing Act 2003

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