

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Friday, 30 June 2023

Present: Councillor Grimshaw - in the Chair

Councillors: Evans and Riasat

LACHP/23/54. Summary Review - The Lawn Club, Hardman Square, Manchester, M4 3HG

The Hearing Panel considered a report from the Head of Planning, Building Control and Licensing concerning the above application. The written papers and oral representations of the parties who attended were also considered, as well as the relevant legislation.

In line with the established procedure, the Hearing Panel heard from Greater Manchester Police (GMP), who informed the panel that there had been a suggestion at the time of the incident of a stabbing. GMP noted that a victim had not come forward and that the CCTV did not show this. GMP referenced that there had been an appeal to the interim steps, which saw them modified with a set of conditions added to the Licence. GMP were still satisfied that those conditions were appropriate and proportionate. GMP also noted that the premises had never before been on their radar and that they had operated without issue before this incident.

The applicant's agent then addressed the Hearing Panel, noting that they intended to request that the panel impose the decision from the appeal to interim steps on a permanent basis. They noted there had been no contest to the suspension requested by GMP at the original interim steps hearing. The applicant's agent stated that they had a copy of the CCTV from the incident for the panel to view, which they did during the hearing. The applicant's agent noted that the incident was out of character for the premises and that there had been no licensing breaches prior to this. The original Licence did not require door staff to be employed by the premises but they were, highlighting the premises going above and beyond their original licence conditions.

The applicant's agent then took the Hearing Panel through the additional conditions as laid out in the information submitted. They also noted that Licensing Out of Hours had been involved in the meetings to formulate the conditions, alongside GMP. The agent felt that a random search policy was sufficient and that full searches would change the style and atmosphere of the Premises. There was CCTV at the venue already, although not a condition on the Licence, and the applicant had added further CCTV to the premises. It was noted that all CCTV available was provided to GMP when requested following the incident. Additional staff training in conflict management and crime scene preservation formed part of the conditions too. The applicant's agent believed that the conditions put forward would bolster the Licence and increase safety.

The premises was ready to implement the conditions immediately, and that they had been implemented since the interim steps had been modified, and were confident of there being no ongoing risk according to the applicant's agent. It was noted that the

Section 182 guidance, paragraph 9.12 referenced that Responsible Authorities should be considered the experts in providing advise to the panel when deciding what, if any, steps should be taken. In this instance, both GMP and LOOH supported the conditions proposed and had made no objections to them. The applicant's agent noted that this was not a premises that undermines the crime prevention Licensing Objective.

In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made thereunder, and the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives. The panel considered that the premises had a previous perfect track record and such an incident was out of character. The panel were satisfied that the premises had committed to no external events,. The panel also noted that the premises had committed to complying with Martyn's Law as part of the conditions. The panel were satisfied that the conditions put forward, therefore, were appropriate and proportionate to ensure the premises could operate safely and uphold the Licensing Objectives, particularly the prevention of crime and disorder.

Decision

To modify the conditions on the licence, as agreed at the review of the interim steps decision on a permanent basis.

Interim Steps Decision

To retain the modified Interim Steps as provided for by s53D(4)(a) of the Licensing Act 2003.