



Committee Hearing Summary Sheet

Reference: 288837
Name: The Lawn Club
Address: Hardman Square, Manchester, M4 3HG
Ward: Deansgate

Hearing Date: 30/06/2023

Application Type: Summary Review of Premises Licence
Name of Applicant: PC Alan Isherwood on behalf of GMP
Date of application: 05/06/2023

On 26/06/2023, in response to a representation received against the interim steps to suspend the licence, the committee lifted the suspension imposed on 07/06/2023.

Conditions have been agreed between parties and the licence holder has provided a search policy to be adhered to.

The minutes of the hearing on 26/06/2023 are as below:

Summary of Evidence

Applicant

Kuits Solicitors addressed the Committee on behalf of the Applicant and advised that since the Interim Steps hearing on the 7th of June 2023 the premises had been in discussions with GMP to discuss steps that would be taken to ensure that there was no repeat of the crime and disorder that took place on the 4th of June 2023.

It was stated that the business was extremely remorseful for the incident and that it had discussed several conditions with GMP that it felt would be appropriate and proportionate to be added to its premises licence to uphold the licensing objectives. It also produced a Search Policy document that it would attach to the licence.

The Applicant stated that the incident had occurred when an externally promoted event took place, emphasising that this was the first time such an event of this nature had been held at the premises.

The Applicant stated that there would be no more events of this nature taking place and that they had agreed to a condition to this effect.

The Applicant requested the Committee to take careful note of the Secretary of State's Section 182 guidance at 9.12 which indicated that regard should be given to the views of the Responsible Authorities when deciding what steps, if any, should be implemented. In this instance GMP and LOOH had no objection to conditions being added to the premises licence to promote the licensing objectives.

GMP

Committee was advised that since the interim steps hearing on the 7th of June 2023 GMP had been in discussions with the Applicant regarding the

modification of the licence and any steps that would be appropriate before any suspension of the premises licence could be lifted.

GMP confirmed that conditions and a Search Policy had been agreed with the Applicant.

Furthermore, GMP indicated that they never had cause to review the licence of the premises prior to the incident on the 4th of June 2023.

Decision

The suspension imposed at the hearing on the 7th of June 2023 is withdrawn and the conditions proposed by the Premises, incorporating the Search Policy, are to be added to the Premises Licence pursuant to Section 53B (8) of the Licensing Act 2003.

Reasons

The Committee upon hearing the representations from both parties considered that it was appropriate and proportionate to lift the suspension.

It noted that agreement had been reached with GMP regarding the addition of conditions, specifically identified in the Premises Licence Holders' witness statement referred to at the hearing, and the Committee considered that it was appropriate to promote the licensing objectives by adding such conditions to the licence, including the Search policy.

Committee took note of the s182 guidance recognising that GMP had a key role in managing the night-time economy and that appropriate conditions had been agreed with the Applicant.

It considered the conditions in detail and noted that the premises would not hold any externally promoted events and that registered SIA door supervisors would be employed from 9pm until close of business on Fridays and Saturdays and would use body worn cameras.

Finally, the Committee noted the comments of GMP that there had never been any previous incidents at the premises that had given them cause for concern and that LOOH had not objected to the suspension being lifted.

In arriving at its decision, the Committee considered the Licensing Act 2003, s182 guidance, licensing objectives and its own Licensing Policy.

The Lawn Club – Proposed Conditions

- There shall be no externally promoted events at the premises.
- The premises shall adopt a random search policy (see attached).
- A minimum of 2 SIA registered door supervisors shall be employed at the premises from 21:00 until close on a Friday and Saturday and any other day that the premises trades beyond midnight. At all other times, SIA registered door supervisors shall be employed in accordance with a risk assessment to be carried out by the DPS. The risk assessment will include consideration of likely trading levels, weather, events taking place in the city centre and any other relevant factors. When employed, door staff will wear high visibility armbands.

(This condition is to replace conditions 5 and 7 of annex 2)

- When employed, all SIA security employed at the premises should utilise a body worn camera. This should be activated whenever staff are involved with incidents of violence/disorder/ejections/vulnerable persons or any other incidents of note.
- Body worn camera forage/images of any incidents will be downloaded daily and securely retained unedited for a minimum period of 28 days. There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies of footage/images on request to the police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).
- The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Licensing Team.
- The premises licence holder must ensure that:
 - Cameras are located within the premises to cover all public areas (not including the toilets) and all entrances and exits;
 - The system records clear images enabling the identification of individuals;
 - All recorded footage is securely retained for a minimum period of twenty-eight days;
 - The CCTV system operates at all times the premises are open for licensable activities;
 - All equipment must have constant and accurate time and date generation;
 - The CCTV system is fitted with security functions to prevent recordings being tampered with;
 - There is at least one member of trained staff at the premises during opening hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with all relevant data protection legislation.
- The premises shall subscribe to and be an active member of the Pub & Club Network (or such other similar organisation) for so long as it exists in the area.

- The premises shall subscribe to the Nitenet radio system for so long as it exists in the area and the radio system shall be in operation at the premises from 21:00 daily.
- At all times that the premises are open to the public for licensable activities, all door staff on duty at the premises and all on-duty managers must have completed ACT awareness e-learning training. In addition, a minimum of 1 on-duty manager and any on duty security supervisor/manager must also have attended a CT awareness session delivered by Counter Terrorism Policing North West trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised office of the licensing authority.
- The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.
- There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
- Within 28 days of the grant of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Manchester City Council.
- The premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of ‘Guide’, Shelter’ and ‘Communicate’ as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them must be understood by those carrying them out:
 - Guide – Direct people towards the most appropriate location (invacuation, evacuation, hide)
 - Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours
 - Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.
- All staff shall be trained in conflict management and crime scene preservation. This training shall be documented and repeated at 6 monthly intervals. Training records shall be retained at the premises for a minimum of 6 months and shall be available to an officer of a responsible authority on request.

THE LAWN CLUB

SEARCH POLICY

1. When employed, door staff will monitor customers as they queue and enter the premises.
2. When employed, door staff will carry out random searches out to deter customers from bringing drugs and/or offensive weapons onto the premises. The volume of searches and identification of customers searched will depend on prevailing conditions and risk assessments.
3. Signs will be displayed at the entrance to the premises indicating that random searches are in operation.
4. Any customer who refuses to consent to a random search shall not be permitted entrance to the premises.
5. All searches will be carried out in view of the premises CCTV and recorded on body worn camera.
6. All searches will be conducted in a polite and courteous manner.
7. Those displaying any signs of being under the influence of drugs will be refused entry to the premises. If drugs of any sort are seized, the police will be informed.
8. If weapons are seized or if anyone is reasonably suspect of carrying a weapon, the police will be informed.
9. Door staff will be vigilant to the fact that adapted articles can be used as weapons but can be more difficult to detect. If any such items (e.g. jewellery, belt buckles) give cause for concern, access to the premises will be denied.
10. Self-sealed numbered bags will be used to safely and securely store any drugs/weapons that are seized. Wherever possible, the bag will be sealed and signed in the presence of the individual(s) from who they were seized.
11. All seizures will be fully recorded by the CCTV system and will be entered into the premises' incident log book.
12. No items whatsoever will be permitted to be sold on the premises by any third party.