

LICENSING PANEL
14/11/2018 at 11.00 am



Present: Councillor Shuttleworth (Chair)
Councillors Byrne and Rehman

Also in Attendance:

Police Constable Tony Farrell
Police Sergeant Paul Archer
Ms Richardson
Representative
David Smith
Shamim Iqbal
Mike Robinson
Kaidy McCann
Sian Walter-Browne
Alan Evans

Greater Manchester Police
Greater Manchester Police
Royal Oak
Royal Oak
Principal Licensing Officer
Licensing Hearing & Projects Officer
Licensing Officer
Constitutional Services
Constitutional Services
Group Solicitor

1 ELECTION OF CHAIR

RESOLVED that Councillor Shuttleworth be elected Chair for the duration of the meeting.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

3 URGENT BUSINESS

There were no items of urgent business received.

4 DECLARATIONS OF INTEREST

There were no declarations of interest received.

5 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the meeting would be held in public and not restricted.

6 SUMMARY REVIEW OF PREMISES LICENCE

Consideration was given to a report of the Principal Licensing Officer that asked Members to consider an application for a 'Summary Review' of the Premises Licence in respect of The Royal Oak, 496 Oldham Road, Failsworth, Oldham M35 0EH and determine whether the imposition of interim steps was necessary.

Members gave consideration to the application, submitted by Superintendent Daniel Inglis of Greater Manchester Police which outlined the reasons given for the summary review. It was the view of Greater Manchester Police that the premises were associated with serious crime and/or disorder.

Greater Manchester Police's representatives attended the meeting and addressed the Panel.

Members asked for and received clarification on the various incidents that had occurred. The medical opinion in relation to the nature of the injury sustained in the 10th November incident was clarified and the injuries from the incidents on 13th October 2018 were described. There had been three serious attacks within one month. Members noted that the victim in November was not co-operating with the police investigation. They were informed that the exact location of the incident in November had not been established, however it was either inside the pub or immediately outside the front of the premises, near the benches.

Members were informed that there had also been previous incidents and that two doorstaff had been assaulted and injured on 15th January 2017. Members noted that these incidents had usually occurred around 1.00am.

Members noted there was no CCTV footage available, as the entire hard drive had been removed by the police following the incidents in October. The Designated Premises Supervisor was on maternity leave and staff had been unable to download the footage without her password.

The representative of the premises addressed the Panel and informed them that the pub had been full at the time of the incident in November. There had been no issues inside the pub and they had become aware there was an incident outside. Staff did not know what had happened and had told the police that the attack had not happened inside the pub. Members were informed that there was very little blood in the pub and staff had not cleaned up. No one inside had seen anything, nor had the door staff, and the attack must have happened outside. The victim did not want the police involved and stated that he fell on glass in the pub to account for his injury.

Members asked for and received clarification from the Royal Oak representatives that the door staff had not recognised the victim and had not seen the attack occur. They were informed that the only blood inside was a few specks near the doorway and there had been no cleaning by staff before the police arrived, which contradicted the written police evidence. The victim had been sat on a bench outside while receiving treatment. Members were informed that the first the staff knew what happened was when the police told them.

Both parties summarised their evidence and submissions.

At this point in the proceedings the Panel, in accordance with Regulation 14 (2) of the Licensing Act 2003 (Hearings) Regulation 2005, moved into private session. In reaching a decision the Panel took into account the relevant provisions of National Guidance and the Council Licensing Policy Statement with reference to the prevention of crime and disorder, public

safety, prevention of public nuisance and protection of children from harm.



Oldham
Council

RESOLVED that, having considered the representations from all parties and having had regard to the Licensing Objectives, in particular the prevention of crime and disorder, the licence would be suspended for three months, pending a full review.

The Panel gave their reasons that suspension of the licence was necessary as there had been three very serious incidents at or in the immediate vicinity of the premises in the last month.

The decision was given to all parties.

The meeting started at 10.00 am and ended at 12.50 pm