

LICENSING PANEL
25/01/2019 at 9.30 am



Present: Councillor Moores (Chair)
Councillors Byrne and Garry

Also in Attendance:

Alan Evans	Group Solicitor
John Garforth	Trading Standards & Licensing Manager
Shamim Iqbal	Licensing Hearing & Projects Officer
Kaidy McCann	Constitutional Services
David Smith	Principal Licensing Officer
Police Constable Tony Farrell	Greater Manchester Police
Police Chief Inspector John Haywood	Greater Manchester Police
Police Inspector Jacqueline Priest	Greater Manchester Police
Henry Okere	Vibez 924
Yolanda Blades	Vibez 924
Manirah Hussain	Solicitor

1 **ELECTION OF CHAIR**

RESOLVED that Councillor Moores 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**

Councillor Garry declared a personal interest by virtue of her husband's employment at Greater Manchester Police.

5 **LICENSING ACT 2003 SECTION 53A SUMMARY REVIEW**

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 Vibez 924, 101 Yorkshire Street, Oldham, OL1 3SY and determine whether the imposition of interim steps was necessary.

Members gave consideration to the application, submitted by Police Constable Tony Farrell 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. Members were informed that in the early hours of Friday 18th January 2019, a disturbance had occurred on Horsedge St involving patrons of VibeZ 924 nightclub. Two males were seen on Council CCTV to come out from the entrance to the club, joined by a third male moments later. An exchange of words occurred before the third male assaulted one of the other males, and in retaliation was chased up Yorkshire Street disappearing out of sight. A short while later the first two males returned to the club and the door staff allowed them to re-enter. The third male returned soon after with two meat cleavers, the CCTV from within the venue showed him walk up the stairs and a verbal exchange was seen between him, a member of the door staff and the two males he had been fighting with. All three males then left the premises and a short while later the police arrived and recovered one of the meat cleavers from inside the club.

Members were informed that at 03:38 hours, a second incident occurred which involved a male being ejected from the venue. The dispute continued outside which escalated into violence in the middle of the public highway whereby a female was hit by a vehicle being driven erratically by a male as a direct result of the disturbance that was ongoing. It was noted that the female did not receive any serious injuries.

Members noted the view of the Officer was that the door staff should have taken more positive action from the outset and refused entry to all persons involved in the original disorder. That way it would have been reasonable to suggest that the incident involving the vehicle would not have happened as it was the same male involved in both incidents. It was stated that the premises had a history of disorder, and whilst in recent months the Premises Licence Holder had been working with the Police to try and improve matters, it was clear by the latest incident that those attempts were failing.

The representative of the premises addressed the Panel and informed them that the premises had been operating for several years and during that time, the Premises Licence Holder had always co-operated with the Police. There had been ongoing talks in respect of a smoking shelter away from the front entrance to keep revellers off the street, however this was subject to agreement from the landlord and planning permission from the Local Authority.

Members asked for and received clarification on the number of door staff that were required to be on site during operational hours. Members were informed that a minimum of four SIA registered door supervisors needed to be on the premises during operational hours. Members asked why on that night there were only two members of door staff on duty. The Panel

was informed that the Premises Licence Holder was not on site on the night in question, and two of the door staff had called in sick. It was stated that the external provider had informed the Premises Licence Holder that more staff were on route to cover the shifts, however they failed to arrive.

Members were informed that the Premises Licence Holder was willing to accept and put in place conditions regarding a change in the provider of the door staff and the number on site during the operational hours.

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.

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, pending a full review.

The Panel gave their reasons that suspension of the licence was necessary as the premises was associated with serious disorder, and it was necessary to take interim steps pending the review of the premises licence.

The decision was given to all parties.

The meeting started at 9.30 am and ended at 11.50 am