

LICENSING PANEL
07/12/2018 at 9.30 am



Present: Councillor Shuttleworth
Councillors Byrne and Rehman

Also in Attendance:

Police Constable Tony Farrell
Ms Debbie Richardson

Greater Manchester Police
Royal Oak

Mr Ged Hodgkin

Royal Oak

Mr Simkin

Representative, Royal Oak

David Smith

Principal Licensing Officer

Shamim Iqbal

Licensing Hearing & Projects Officer

Mike Robinson

Licensing Officer

Kaidy McCann

Constitutional Services

Sian Walter-Browne

Constitutional Services

Alan Evans

Group Solicitor

Police Constable Tony Farrell

Greater Manchester Police

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 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **ORDER OF PROCEEDINGS**

RESOLVED that the Order of Proceedings be noted.

7 **LICENSING ACT 2003 - REVIEW OF PREMISES LICENCE
FOLLOWING REVIEW NOTICE**

Consideration was given to a report of the Principal Licensing Officer seeking a review of the Premises Licence in respect of The Royal Oak, 496 Oldham Road, Failsworth, Oldham M,35 0EH pursuant to Section 53C of the Licensing Act 2003, following the application for a 'Summary Review' of those premises, made by Greater Manchester Police on the 12th

November 2018. This matter had been referred to the Panel for determination



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 representative attended the meeting and addressed the Panel. The Panel was informed that the parties had met since the hearing of the application for a summary review and the conditions set out in pages 21-26 of the bundle at Item 8 on the agenda had been fully agreed. This was confirmed to the Panel by the representative for the Royal Oak and the Principal Licensing Officer.

The Panel was informed that, in accordance with the conditions as agreed, alcohol sales would cease at 23.30 and the Royal Oak would close at midnight on all days. There would be no seasonal variations, however the licensees could apply for temporary event notices. Two SIA-trained door staff would be on duty, using metal detectors for search purposes, and their hours of work were agreed. The hard drive on the CCTV would be replaced before the pub re-opened and the system would operate for 24 hours 7 days per week. An application would be made by Ms Richardson to take over as the Designated Premises Supervisor.

Members asked for and received clarification on the conditions proposed. In relation to seasonal variations, they were informed that it was proposed to remove those on the current licence and the licensees could apply for any extended hours by way of temporary event notices. In relation to the application to become the DPS, they were informed that such an application could be processed immediately. Members noted that the nite-net radio condition could not be met immediately, as the equipment needed to be purchased and set up. It was proposed that the licensees be given 28 days in which to install the equipment.

All parties confirmed their acceptance of the conditions proposed.

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.

Having considered all the information before them, including the representations from the Police and Mr Simkin, representing the premises licence holder, and having regard to the licensing objectives, in particular the prevention of crime and disorder,

and to the Council's Licensing Policy and the Secretary of State's Guidance, the Panel **RESOLVED that:-**



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1. The conditions and operating times for the Royal Oak would be as set out on pages 21-26 of the bundle at Item 8 on the agenda and as detailed below:
 - Opening Hours Friday and Saturday to be 11.00-00.00
 - Alcohol sales Friday and Saturday to be 11.00-23.30
 - All seasonal variations to be removed
 - Nite-net radio condition to be met within 28 days
 - A minimum of 2 SIA registered door supervisors shall be employed at the premises from 21:30hrs whilst it is open for licensable activities every Friday, Saturday and every Sunday preceding a bank holiday and remain on duty until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands and use metal detectors for search purposes. The SIA licence shall be visible to members of the public, police and licensing officers

2. The three-month suspension of the premises licence, agreed at the summary review hearing on 14th November, would be lifted as soon as Ms Richardson had been appointed as the Designated Premises Supervisor for the premises.

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FULL EVIDENCE BUNDLE

RESOLVED that the contents of the supplementary evidence bundle be noted.

The meeting started at 9.30 am and ended at 10.29 am