

Record of a Hearing of the Bradford Licensing Panel held on Monday 1 May 2013 in Committee Room 4, City Hall, Bradford

Procedural Items

DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

Hearing

- 1. Application for a Summary Review for Club C's, 6/8 Sackville Street, Bradford (Document "L")**



RECORD OF A HEARING FOR A SUMMARY REVIEW FOR CLUB C'S, 6/8 SACKVILLE STREET, BRADFORD (DOCUMENT "L").

Commenced: 1005
Adjourned: 1050
Reconvened: 1055
Concluded: 1100

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Ruding (Chair), Khaliq and B M Smith.

Parties to the Hearing:

Representing the Responsible Authority Applicant for Summary Review:

PC Dawson, West Yorkshire Police

Representing the Licensee:

Mr Allen, Licensee

Representations:

The licensing officer in attendance summarised the background to the application as set out in the report. Members were informed that West Yorkshire Police had requested a summary review of the premises licence on 29 April 2013, following five serious incidents that had taken place since 24 February 2013. Within 48 hours of receipt of the application Members were required to consider if any interim steps were necessary pending the full review hearing. A full review had then to be undertaken within 28 days. It was noted that if the Licensee made representations following the initial hearing, a further interim hearing must be held within 48 hours to consider the points raised. The licensing officer explained that the options available to Members were to modify the current conditions; exclude the sale of alcohol from the licence; remove the Designated Premises Supervisor (DPS) or suspend the licence pending the full review. There was no right of appeal to the Magistrate's Court for the Licensee at this stage.

In response to queries regarding the process, Members were informed that:

- If written representations were received from the Licensee following the initial hearing, a second interim hearing would need to be heard within 48 hours, in order to consider the representations and any interim decision made.
- If the Licensee was not available for the initial hearing, Members were still required to determine if any interim steps were required.
- A full review of the premises licence would be required on or before 27 May 2013.
- The Licensee could present additional information at any second review hearing and at the full review hearing.

The representative of West Yorkshire Police (WYP) addressed the Panel and stated that the request for a summary review had not been taken lightly. A catalogue of serious incidents had taken place at the premises, with the latest occurring on 27 April 2013. The Police had been in the process of applying for a review of the premises, however, circumstances had superseded this course of action and a summary review had been submitted.

Members were informed that five serious incidents had occurred at the premises from 24 February to 27 April 2013, which had resulted in hospitalisation for all the complainants and subsequent police enquiries. In relation to the latest incident on 27 April 2013, the police had required that the Club be closed, as it was a crime scene. The adjacent business premises in Sackville Street were concerned in relation to the effects of the incidents on the area and it was noted that there were other premises nearby that had late licences but had not reported any problems. The representative of WYP confirmed that all the incidents had been taken seriously and had all occurred inside the premises. The poor management skills of the Licensee were outlined as well as concerns in relation to the door staff and the quality of the CCTV recordings. In conclusion a suspension of the premises licence was requested pending a full review.

In response to Members' questions, the representative of WYP confirmed that:

- The reason for the incidents at the premises was not known.
- The incidents were part of ongoing police enquiries.
- The CCTV system in the premises had not captured all of the incidents, the cameras did not provide adequate or clear coverage and the footage submitted was not the same as what had been viewed previously, therefore, the hard drive may have to be seized.
- No incidents had taken place at other premises in the locality, including those with late licences.

In response to the points raised, the Licensee explained that the Club was dark and one of the cameras was not as good as the others, however, he had ordered another two cameras in order to improve the CCTV coverage. He stated that he believed that the problems at his premises were being caused by people from the Leeds community, not residents of Bradford. He was not happy that the incidents had taken place and proposed to move the security staff and the CCTV cameras. With regards to the security door staff, the Licensee reported that he had asked them to undertake searches, but they hadn't and on the night of 27 April 2013 he had specifically requested that everyone entering the premises be searched. He suggested that the problems could be resolved if the door staff were changed, the CCTV cameras moved and a new manager employed. It was acknowledged that the situation was affecting the area and he stated that if he could make the premises safer he would do. In relation to the request to suspend the premises licence, the Licensee indicated that it was not a viable solution to remove his livelihood and he would ensure that no further incidents would occur.

Members then questioned the Licensee and were informed that:

- He had been at the premises for approximately one year and had very little experience, though he was a quick learner.
- He had two security door staff.
- He was present at the premises whilst it was open and his patrons were from different communities.
- A more serious incident could occur at the premises and the businesses in the vicinity were suffering. A procedure needed to be put in place at the premises.
- The premises accommodated approximately 100 downstairs and 60 upstairs.
- He had been on the premises when the incidents had occurred.
- The Security Team had not carried out their duties.
- He paid a firm to provide security at the premises.
- There was a good CCTV system installed in the premises.
- He had ordered two new cameras for the CCTV system, which would be fitted shortly.

- The first incident had taken place outside the premises.
- He believed that the premises could have been targeted as it was busy and other premises may want the business.
- He had tried to contact WYP in relation to his assumptions and the incidents that had occurred.

In summation, the representative of WYP stated that the Licensee appeared to be passing his responsibility and the blame to others. The police feared that reprisals could occur either in or outside the premises, as two serious incidents had already taken place within two weeks. Too many incidents had taken place in a short period and there was a possibility that a death could happen next time. Members were informed that the management of the club did not meet the expectations of the Local Authority or the Police and it was requested that the licence be suspended.

The Licensee stated that there may be people who would want to take revenge for the incidents, however, he did not believe that this would occur in or outside of his premises. He reiterated that he had been let down by the security staff and needed to employ another company, as they were placing his business in jeopardy. He confirmed that he had previously met with the current providers in order to resolve the issues and could only try to prevent further occurrences and make the premises safer for patrons.

Decision

That having considered the evidence supplied by the Police in relation to the application for a summary review, the premises licence for Club C's be suspended with immediate effect pending a full review.

Reason: The Panel considered the evidence presented by the Police relating to several serious incidents, the acknowledged deficiencies in the CCTV system in providing adequate monitoring and supervision of the internal area of the premises, the lack of proper supervision by Security Industry Authority (SIA) registered door staff and the lack of control by the Licensee/Designated Premises Supervisor (DPS) in the prevention of serious incidents of crime and disorder in the premises. The Panel considered this compelling enough to justify the immediate suspension of the licence pending a full review under the prevention of crime and disorder objective and promotion of public safety.

Chair

Note: This record is subject to approval as a correct record at the next meeting of the Licensing Committee.

i:\minutes\lpb1May