

LICENSING SUB-COMMITTEE

MEETING, 5TH OCTOBER, 2021

Present – Councillors Mrs Fairclough, Flitcroft and Grant

Also in Attendance

Mrs P. Clyne	-	Principal Licensing Officer
Ms L. Timmins	-	Senior Licensing Officer
Mrs N. Raby	-	Senior Lawyer, Bolton Council
Mrs S. Bailey	-	Principal Democratic Services Officer

Supporting the Review of the Premises Licence

PC Brookfield	-	Greater Manchester Police
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Objecting to the Review of the Premises Licence

Mr M. Stephens	-	Licence Holder
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Councillor Flitcroft in the Chair.

1. APPLICATION FOR A REVIEW OF THE PREMISES LICENCE – LUXE LOUNGE, 25 BRAWSHAWGATE, BOLTON

The Director of Place submitted a report which provided details of an application for a review of the Premises Licence in respect of Luxe Lounge, 25 Bradshawgate, Bolton pursuant to the provisions of Section 53A(1) of the Licensing Act, 2003.

Members were reminded that the licence for the premises had been considered at an Expedited Review hearing held on 6th September following a serious incident at the venue on 2nd September, 2021. After hearing the evidence and submissions, the Sub-Committee had agreed that no further action was required at that time, pending a full review hearing of the premises licence within 28 days.

The purpose of this hearing was for the Licensing Authority to consider the Review Application and other relevant representations and to decide what steps it considered appropriate for the promotion of the Licensing Objectives. The Sub-Committee was also required to review the decision made by the previous Sub-Committee at the Expedited Hearing and to decide whether to agree with or modify the decision to take no further action on the Licence or to take any other steps which it considered appropriate when making its determination on the review.

In this regard, PC Brookfield put forward submissions on behalf of Greater Manchester Police and referred to the incident that had occurred at the venue at approximately 01.30 hours on Thursday, 2nd September, 2021 where two men had been assaulted resulting in serious bodily harm to one victim and the death of another victim. He explained that he had held discussions with the licence holder Mr Stephens immediately following the incident who had expressed a willingness to assist the Police in any way he could.

PC Brookfield advised that since the initial hearing, he had held several meetings with the owner Mr Stevens who had displayed genuine concern in relation to the incident and had demonstrated a keenness to work with the police and the Licensing Authority to ensure there would not be a repeat of this incident in the future.

He stated that following their discussions, Mr Stephens had already put various measures in place to increase security. He had directed his door staff to utilise hand-held metal detector wands when customers were entering the premises which would help to identify and seize any concealed objects under clothing and had agreed to install an extra CCTV camera which covered the side street of the premises (Princess Street). He had also expressed his intention to become an active and positive member of the Town Centre Pub Watch Scheme and had decided to limit opening of the premises to weekends. A recent visit to the venue by the Police had revealed that the premises were operating responsibly.

Mr Stephens, the Licence Holder, attended the meeting and put forward his submissions. He explained that he had been operating the premises since March 2020 and had no previous incidents. He assured members he was a responsible licence holder and that staff at the premises had followed all the correct procedures before and after the incident.

Mr Stephens explained that he had met with PC Brookfield on various occasions since the incident and was assisting the Police in any way he could to ensure that the premises operated as safely as possible. He had already put several measures in place to improve security and was happy to include these as conditions of the licence.

The Sub-Committee gave careful consideration to all the submissions.

Decision

In coming to its decision in relation to this review, the Sub-Committee took account of guidance relating to HM Government's Licensing Act 2003 including the guidance on Summary Reviews. The Sub-Committee specifically bore in mind the licensing objective of the prevention of crime and disorder and took account of Bolton Council's Licensing Policy and the Guidance published by the Secretary of State under Section 182 of the 2003 Act and the non-statutory guidance issued in respect of this type of application.

Resolved – That, further to the Expedited Hearing held on 6th September, 2021, and following the hearing today to consider an application to review the licence at Luxe Lounge, 25 Bradshawgate, the following conditions be included in the Licence:

- Dress Code - the premises will strictly adhere to the Town Centre dress code during the night- time economy of each Friday and Saturday night, except for a pre-planned fancy-dress event. The dress code will be no hooded tops, hats, shorts or tracksuits in accordance with the Town Centre best practice agreement;
- Door Staff - door staff will be employed between 21:00 hours and close of business. Monday - Thursday the venue will have a minimum two door staff on duty. Friday – Sunday, and on key dates throughout the year, the premises will have a minimum of three door staff on duty. At least one member of door staff to remain at the entrance throughout hours of business to maintain the integrity of the venue;
- Metal Detectors - door staff positioned at the entrance to the premises will use a metal detector to search customers as they enter the premises; and
- CCTV - the premises will maintain a fully operational and effective CCTV system when the premises are open for business. The CCTV system will be of sufficient quality to provide facial identification in the event of future incidents. An additional CCTV camera to be installed at the side of the premises to cover Princess Street. All CCTV footage will be maintained for a minimum of 30 days and will be made available to responsible authorities on request.

(The meeting started at 10.15am and finished at 10.40am)