

MINUTES OF LICENSING PANEL MEETING - MONDAY, 5 DECEMBER 2022

Present:

Councillors

Hutton

Sloman

Wilshaw

In Attendance:

Lennox Beattie, Executive and Regulatory Manager

Sharon Davies, Senior Licensing Solicitor

1 APPOINTMENT OF CHAIRMAN

The Licensing Panel considered the appointment of a Chairman for the meeting.

Resolved:

That Councillor Hutton be appointed the Chairman for the meeting,

2 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest on this occasion.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting including that an equal time limit of forty minutes for all parties.

4 APPLICATION TO REVIEW A PREMISES LICENCE - KAOS BAR

The Licensing Panel considered an application to review the Premises Licence of Kaos Bar, 38-42 Queen Street. The Review Application had been submitted by Lancashire Constabulary on the grounds of the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm, with supporting representations having been submitted by Environmental Protection, the Licensing Authority and 3 members of the public.

In attendance at the hearing were Sergeant Nat Cox and PC Emma Pritchard from Lancashire Constabulary along with Mr Lee Petrak on behalf of the Licensing Authority and Ms Nicky Todd from Environmental Protection. The Licence holder and Designated Premises Supervisor Mr Neil Cropper was in attendance accompanied by his agent Mr Mark Marshall.

Sgt Cox explained that the Police had based their review application around issues both inside and outside the venue primarily from the hour of 03.00 onwards supported by 176 police logs directly linked, in their opinion to the venue and witness evidence from police officers and North West Ambulance Service. They asked the panel to consider a number of occasions of breaches of licence conditions of note, one where there were insufficient door supervisors, and another where a 17-year-old female was on the premises. The

MINUTES OF LICENSING PANEL MEETING - MONDAY, 5 DECEMBER 2022

review application stated that the Police had lost confidence in Mr Cropper who in their opinion was either unable or unwilling to prevent incidents from happening. During the hearing, the panel viewed a 30-minute montage of CCTV footage compiled by the police from CCTV cameras both inside and outside of the venue.

Mr Lee Petrak for the Licensing Authority expanded on his representation and expressed support for elements of the Police position. He noted, following the viewing of the CCTV footage that groups congregating outside of the venue appeared to be a flashpoint for disorder.

Ms Todd for Environmental Protection explained their involvement in dealing with noise complaints. Miss Todd indicated that there were no recent complaints, but explained that could be because the flats immediately beside the premises which were the source of the complaints had been prohibited from being used as residential accommodation. The three public objectors were not in attendance but their written evidence was considered by the Panel.

Mr Marshall, the Licence Holder's representative provided a written copy of the oral representations he wished to make as this contained numerous cross references to the written evidence produced. Mr Marshall highlighted the view of himself and the Licence Holder which was that not all police logs related to the premises, some related to activity which would almost occur at licensed premises and only a small number represented issues with the premises. The licence holder acknowledged that a number of the police logs related to the venue, although many did not. Some of these were unavoidable where door staff had appropriately refused entry to the club, others related to incidents where customers had lawfully been ejected from the premises but had then gone on to cause a disturbance outside. Mr Marshall referred to the drop in policing levels in the period between 2am and 3am meaning that Kaos did not benefit from the high visibility policing venues at the other end of Queen Street enjoyed. The venue was, in reality left to deal with issues itself. Mr Marshall also explained that Mr Cropper had enjoyed a good working relationship with previous licensing sergeants whom he had met with regularly to discuss problems

The panel considered all of the information placed before them carefully. It considered that while not all the incidents could have attributed to the operation of the premises it considered the large number of incidents and issues particularly after 2am to be concerning. The premises was located in an area with relatively high levels already of crime and disorder and anti-social behaviour. The operation of the premises until 5am presented a large amount of potential issues and therefore required a strong management response.

It is an unfortunate reality that incidents are likely to occur in places where people consume alcohol, thefts take place and arguments can flare up out of nothing at any time of the day or night requiring the intervention of staff or even the police. Those who cater for the later end of the night-time economy need to have robust policies in place to deal with issues that may arise and to ensure an orderly dispersal of customers at the end of trading. Considering the CCTV evidence and the police logs, it does not appear that this venue had either. The panel concluded that the way this venue is trading in the early hours of the morning is undermining the licensing objectives. One consequence of this is the pressure placed on police and ambulance resources. The panel did consider the police

MINUTES OF LICENSING PANEL MEETING - MONDAY, 5 DECEMBER 2022

request for revocation of this licence but felt that the cause for concern in this case was the operation of the venue between 03.00 – 05.00, it would therefore revocation would be a disproportionate response.

Having considered the available options, the panel determined that it was appropriate for the promotion of the licensing objectives to amend the hours for licensable activities to 11.00 – 02.30 hours daily (23.00 – 02.30 hours for late night refreshment) with the premises closing to the public by 03.00.

Resolved:

That the hours for licensable activities be amended for Kaos Bar to 11.00 – 02.30 hours daily (23.00 – 02.30 hours for late night refreshment) with the premises closing to the public by 03.00.

Chairman

(The meeting ended 1.05 pm)

Any queries regarding these minutes, please contact:
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