

Licensing Sub-Committee

Wednesday, 10th January, 2024

PRESENT: Councillor J Gibson in the Chair

Councillors L Farley and A Ali

1 Election of the Chair

RESOLVED – To elect Councillor Gibson to the Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

4 Late Items

There were no formal late items. However, supplementary information was published and circulated to all parties prior to the hearing.

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Summary Review of the Premises Licence for Beaver Works, 36

Whitehouse Street, Hunslet, Leeds, LS10 1AD

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub-Committee of an application made by West Yorkshire Police under section 53A of the Licensing Act 2003, for the summary review of the premises licence in respect of Beaver Works, 36 Whitehouse Street, Hunslet, Leeds, LS10 1AD.

Prior to the commencement of the meeting, the Licensing Sub-Committee were informed by the Licensing Officer that the parties were currently discussing the proposed conditions and measures being offered by the Premises Licence Holder.

Ms Hazlewood of John Gaunt's & Partners, acting on behalf of the premises licence holder addressed the Licensing Sub-Committee and advised them that all parties wished to delay the meeting for a few minutes whilst they tried to finalise suggested measures and conditions.

The Licensing Sub-Committee granted a delay, giving all parties 15 minutes to finalise discussions. The meeting commenced at 10:15.

- In attendance for this hearing were:
- PC Andy Clifford, WYP – Review Applicant
- Dr Sam Fowles, Cornerstone Barrister – Counsel for the Licence Holder
- Michelle Hazlewood, John Gaunt's & Partners – Acted on behalf of the Licence Holder up to the hearing
- Patrick Robson – John Gaunt's & Partners
- Graham Higgins – Licence Holder
- Jonathan Ashley – Witness for the Licence Holder (operational matters)
- Carol Robinson - Witness for the Licence Holder (operational matters) and submitted a valid representation in support of the venue
- Richard Dyson - Witness for the Licence Holder (operational matters)

- Robbie Higgins - observing

The Legal Officer outlined the procedure for the hearing.

Dr Sam Fowles, Counsel for Mr Higgins asked to submit his notes and proposed conditions as information for the Members. The Sub-Committee duly agreed, and the information was circulated. It was noted that the information provided did not have the most recent additions to measures which had been discussed prior to the meeting.

The Licensing Officer provided the Licensing Sub-Committee with the following information:

- This summary review was brought by West Yorkshire Police and followed an interim steps hearing on the 15 December 2023, where Members had unanimously resolved to suspend the licence with immediate effect pending the substantive hearing of the review application.
- A history of the premises was set out in the submitted report at Paragraph 2.
- A copy of the premises licence was attached to the report at Appendix A.
- The application for a summary review of the premises licence has been sought by West Yorkshire Police. A redacted version of the application was attached at Appendix B.
- Members were requested to note that in accompaniment of the application a certificate made under section 53(1B) of the Act, which confirms that a Senior Member of West Yorkshire Police was satisfied that these premises are associated with serious crime or serious disorder or both. A redacted version of the certificate was appended to the report at Appendix C.
- On the 15 December 2023 a hearing for interim steps was considered by Members where it was decided that suspension of the licence with immediate effect pending the substantive hearing of the review application was the most appropriate course of action for the Committee to take. A copy of the decision notice was attached to the report at Appendix D.
- No representations had been received from the responsible authorities.
- Representations in support of the premises had been appended to the report at Appendix F. Unredacted copies had been provided to the Sub-Committee prior to the hearing.
- Guidance specific to Summary Reviews was appended to the report at Appendix G.

West Yorkshire Police provided the following information:

- The review application had been submitted due to the severity of the incident on 9 December 2023. It was noted that the event was categorised as a high-risk event at which a bouncer had been assaulted and had resulted in a lot of police attending the incident.
- The police were informed that a young boy had presented at hospital with a stab wound and given the timing, it seemed to be linked to the incident at Beaver Works. It was noted that the bouncer who had been assaulted was trying to split up a fight and was attacked by the suspect and a group of friends. The Sub-Committee were advised that initially it had been unclear

where the suspect was, and this had been due to miscommunication. The suspect who had assaulted the doorman was subsequently arrested.

- The 16 year old who had presented at hospital said that he had left the event due to being assaulted and it was not until later he realised his trousers were bloodied. He had sustained a stab wound close to the spine and slash wounds to his arms. It had been noted that the 16 year old had been able to access the club and had been in drink.
- The police were of the view that Mr Higgins had genuinely tried to address the issues since the interim steps hearing and had invested a lot of money to make the club safer. It was the view of the officer that the conditions offered were appropriate and proportionate to address the causes of concern that instigated the review.

Responding to a question the police provided the following information:

- The 16 year old had made a remark to the police and his parents that he was at the event with 3-4 of his friends but he had seen up to 50 people he believed to be underage. It was the view that the premises were susceptible to the use of fake I.D.'s.

Counsel for the premise licence holder provider the Sub-Committee with the following information:

- In the intervening period between the interim steps and the full review hearing, Mr Higgins has liaised with West Yorkshire Police to ensure that new measures are in place to remedy the issues that led to the application for review of the licence.
- It was noted that after a meeting with the police on 9 January the proposed list of conditions provided by the licence holder as supplementary information had been superseded.
- Counsel requested the Sub-Committee to lift the interim measures and impose further conditions on the licence to secure the new measures and the safety and effectiveness of the premises going forward.
- It was noted that the premises licence holder had submitted an updated operating schedule and a list of suggested conditions.
- It was noted that there had been no previous record of any police concern in respect of the premises prior to the review application.
- It was acknowledged that the premises is a popular venue, loved by the community. This had been demonstrated by the number of representations in support of the premises. It was noted there had been no representations supporting the review application.
- The premises holds 4 types of events:
 - Small community / corporate low risk events with around 200 attendees open to all ages.
 - Large community / corporate low risk events with 1500 and 2000 attendees open to all ages.
 - Small festival/music led events held usually on a night and attract an older crowd.
 - Large festival / music led events held on a night which attract a young crowd over 1000 attendees. It was noted that these events carry a higher risk of disorder.

- It was recognised that the incident on the night of 9 December which led to the interim steps hearing had been due to several issues:
 - Underage persons accessing the event either presenting as over the age of 21 or presenting sufficiently convincing fake I.D.'s.
 - The premises outgrowing its current operational structure.
 - A person able to smuggle in a knife.
 - The event was 'Bassline' and a large capacity event which presents a high risk.
- The premises licence holder had because of the incident identified measures to directly address the issues:
 - Installed two new electronic scanners to assist door staff to check I.D.'s.
 - Challenge 21 policy will be upgraded to Challenge 25 policy.
 - A new Control Officer had been appointed to co-ordinate security from a new CCTV system. It was noted that the new Control Officer had undertaken enhanced training for this role which would be completed by 16 January 2024.
 - A new management structure has been put in place, so all staff know their role and how to escalate issues to the chain of command.
 - A new Operating Policy which contains additional policies on weapons, conflict management and disorder, terrorism threats and evacuation, crime scene preservation, control and escalation, sexual harassment and review.
 - For high-risk events there would be a ratio of one member of security staff for every 100 attendees. For festivals / music led events that are not classed as high risk the ration of security staff would be 1:150. The Safety Advisory Group would be notified not less than 31 days in advance of any such events.
 - The CCTV has been updated.
 - Body-worn cameras have been purchased which can record direct to the CCTV system.
 - A metal detector arch has been purchased. All events over 1000 attendees everyone must pass through the arch.
 - Additional scanner wands have also been purchased and would be used at events of fewer than 1000 attendees and these would be used for random searches. It was noted that stab vests would be available for all security staff and those involved with searches would be required to wear body cameras. Impermissible items would be recorded.
 - Staff training had commenced on all new polies and procedures and the premises was due to hold a series of drills for the new processes.
- The Sub-Committee were advised that the next schedule event at the premises was due to take place on 26th January 2024. It was noted that this event expected more than 1000 attendees but was classed as low-risk event. However, this event would be used to trial all the new equipment, policies, and procedures.
- The Sub-Committee were also advised that Beaver works would no longer host Bassline events, and this would be secured by condition.

In response to a question from the Members the following information was provided:

- In relation to people bringing in plastic knives, the Sub-Committee were advised that security 'can only do what they can do.'
- Security at events would be the same as airport security where attendees would be asked to empty pockets into a 'sort bowl', followed by a full 'pat down' and use of the security wand.

The Chair made the following comment to the premises licence holder.

'This venue is an important cultural part of the city, and he was disappointed that this incident had happened at this venue. He was especially disappointed to hear that underage people had been able to access the premises. He accepted that since the incident the premises licence holder had worked hard to address the issues with new procedures to keep customers safe and had proposed additional conditions.'

Summing up

West Yorkshire Police said it was a good that the premises licence holder had taken responsibility to address the issues of the incident on the 9 December and had been willing to work with the police. This had made the process easier.

It was the view that the proposed conditions and measures taken since the incident were substantive. It was noted that police officers had attended the premises to look at the CCTV system along with an officer from the Licensing Authority. He informed the Sub-Committee that the system was the best they had seen.

Dr Fowles – Barrister for the premises licence holder said his client had received a wake-up call because of the incident and had acted responsibly and in agreement with the police.

He said that the venue would no longer be using glasses for drinks service in agreement with the police.

Members discussions included:

- Lifting the interim steps suspension
- Disappointment that the venue had not considered incidents which had happened at the Leeds Festival and learned lessons from them.
- Known issues in relation to Bassline events.

RESOLVED - To modify the licence to incorporate all proposed conditions and to impose the same additional conditions as continuing interim steps pending the appeal, or until the disposal of any appeal that is lodged.

CHAIR'S CLOSING COMMENTS

The Chair said that he was glad to hear that the premises licence holder had responded in a responsible manner and had worked with West Yorkshire Police to

address the issues which had resulted in the review application for a well-loved venue. It was the responsibility to do the right thing.

Meeting concluded at 11:55