

## **Licensing Sub-Committee**

**Wednesday, 17th April, 2019**

**PRESENT:** Councillor A Garthwaite in the Chair

Councillors M Harland and J Heselwood

**1 Election of the Chair**

**RESOLVED-** That Councillor A Garthwaite be elected as Chair for the meeting.

**2 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

**3 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Members agreed to exclude parties from part of the meeting during consideration of item 6 – Summary Review of the Premises License in respect of Norman Bar, 36 Call Lane, Leeds, LS1 6DT, designated as exempt from publication in accordance with paragraphs 10.4(1) and (2) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the footage brought forward by West Yorkshire Police is likely to reveal the identity of individuals, and as such, the public interest in maintaining the exemption outweighs the public interest in disclosure at this time (Minute 6 refers).

**4 Late Items**

There were no formal late items, however some additional information in relation to item 6 was distributed to Members at the outset of the hearing (Minute 6 refers).

**5 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

**6 Summary Review of the Premises Licence for Norman, 36 Call Lane, Leeds, LS1 6DT**

The report of the Chief Officer Elections and Regulatory informed Members of an application for a Summary Review in respect of Norman Bar, 36 Call Lane, Leeds, LS1 6DT. West Yorkshire Police (WYP) had made the application on the grounds of serious crime and disorder.

Supplementary information had been circulated to Members prior to the hearing, including a witness statement and a notice of intention, both submitted on behalf of WYP.

The report sets out the relevant procedure, considerations and guidance for the Summary Review.

The Licensing Sub Committee agreed to view video evidence submitted by WYP, and previously watched at the meeting held on 28<sup>th</sup> March 2019. It was decided for the footage to be viewed in the absence of the parties and public.

The following were in attendance for this item:

- PC Arkle, WYP – For the Applicant
- Sgt Maynard, WYP – Observing
- Paddy Whur – Acting on behalf of Norman Bar
- Scott Wellings – Representing of the business owners
- Leona Taylor – Premises Manager
- Richard Beecham – Yorkshire Evening Post
- Rhys Thomas – Leeds Live

Prior to the Interim Steps, the Sub-Committee considered the applicant's representations against the Summary Review.

PC Arkle outlined the reasons for the Summary Review of the Premises Licence. These included:

- An investigation is still on-going for an incident which had occurred on the 24<sup>th</sup> March and further arrests were expected - the premises had cooperated with the investigation.
- A meeting alluded from the interim steps on 3<sup>rd</sup> April, with the owner's representative and solicitor, to put forward conditions for consideration, in order to alleviate concerns with the licensing objectives.
- 4 incidents had been related to knife crime and it was suspected that the victims and perpetrators had felt comfortable in Norman opposed to other bars in the city.

In relation to the conditions suggested by WYP and as set out in the supplementary pack, PC Arkle highlighted that:

- Identification system – enabled the storage of identification, making it accessible to cross reference, should an incident occur in the future. The clients were agreeable to the installation of an ID scanner.
- Polycarbonate vessels – there had been an element of polycarbonate used in the venue, and it was agreed for glass to remain in the VIP areas for champagne only.
- Door supervisors & chest cameras – a minimum of 4 and a maximum of 7 supervisors to be employed. It was further suggested that chest cameras operate at all times on duty. Members were informed the cameras would also record audio.

PC Arkle referenced an upcoming application scheduled to be heard by a Licensing Sub Committee, relating to the transfer of the Designated Premise Supervisor (DPS) and expressed uncertainty as to whether the agreed conditions, would be suitable assisting the DPS, due to inexperience.

In response, Paddy Whur, acting on behalf of Norman Bar, addressed the Licensing Sub Committee and highlighted the following:

- This was the first time representing the clients and a considerable approach had been taken to not challenge the interim steps. It was asked it be given considerable weight, due to a commercial loss.
- The 2 groups involved in the recent incident, had caused trouble elsewhere before visiting Norman, but hadn't been identified on the radio, otherwise the scenario could have been different. When the two groups arrived at the premises, the groups hadn't exhibited any type of behaviour which would have excluded them from the premises.
- There were no issues with the conditions put forward by WYP and agreed implementation of these, would be the right measure, going forward.
- The risk assessment for door staff isn't reactive, the bar is open 2 days a week apart from bank holidays and staff are aware of when the premises busiest times are. There will be a head doorman to decide who will be in and out of the venue.
- People react differently when they are being recorded, and the use of body cameras will allow quality footage/audio, creating a defence mechanism for the operator. It was confirmed there would be a minimum of 4 door supervisors as suggested in the conditions from WYP.
- When the incident occurred, the severity of incidents were reduced due to the use of polycarbonate in the venue.
- A suggestion was made for WYP to check the quality and positioning of the fixed CCTV.

In response to comments and questions from the Sub Committee, the following was discussed:

- The ID system complies with data regulations and data retention doesn't breach legislation; it is considered a robust system and the data can be destroyed as and when it is necessary.
- The premises has a capacity of 240 people.
- The number of door supervisors at specific times, would be dependent on the amount of people attending the premises.
- Body cameras would be visible to customers, and there would be a clear notice, advising that the cameras would be recording at all times.
- In relation to the type of music played in the venue, it was confirmed the premises would be mindful when picking a DJ; the playlist would be looked at beforehand, to avoid music related problems.
- The security staff would be trained to assess dress code and the types of behaviours presented by people and groups; the radio would also determine whether to expect problematic people and a dynamic risk assessment would be undertaken on that basis.
- Body footage retention is stored for 31 days, the same as static cameras.

In conclusion, PC Arkle explained the recent incident was a difficult situation to manage and the best option for the premises, would be to stay with the current security provider. WYP will undertake a health check of the CCTV cameras at the premises and will invite the image unit to report back on their findings. It was confirmed the i/d system had previously been seen in operation at different venues and this addition was welcomed as an additional measure.

The Sub-Committee retired to private session to consider the matters which had been designated as exempt from publication (minute 3 refers).

The meeting returned to open session.

The Sub Committee, having considered the representations and the options available to them

**RESOLVED-** To:

- a) Modify the existing conditions on the Premises Licence for Norman, to include the conditions suggested by WYP:
    - I. A computer based identification system shall be installed and maintained to the reasonable satisfaction of West Yorkshire Police. The details of all customers seeking entrance to the premises shall be processed through the system.
    - II. Polycarbonate vessels shall be used at all times the premises are open with the exception of champagne glasses in dedicated VIP areas. No glass bottles will be sold over the bar without first being decanted with the exception of bottles of Champagne in VIP areas. These areas will be supervised and glassware will be removed from these areas promptly.
    - III. The minimum number of door supervisors employed at the premises shall be 4. Additional door supervisors (to a maximum of 7) will be employed after a risk assessment and are deemed to be required.
    - IV. At least 2 door supervisors at the front door and 2 door supervisors inside the premises will wear body cameras. The cameras shall record constantly throughout their tour of duty.
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The Licensing Sub Committee then considered the Interim Steps.

An interim steps hearing had been held on 28<sup>th</sup> March 2019 where the Licensing Sub Committee resolved to suspend the Premises Licence pending this hearing.

The Sub Committee heard from Paddy Whur acting on behalf of Norman, and it was requested that the interim steps be modified to replicate the conditions as set out in the Summary Review, and for the licence to be lifted.

WYP were in agreement, subject to the re-wording of the conditions as set out and agreed in the Summary Review.

The Sub Committee noted the intention of the premises, to not open until the conditions are in place.

The Sub Committee retired to private session to deliberate.

The meeting returned to open session.

**RESOLVED-** To remove the suspension of the licence with immediate effect and to replicate word for word the conditions suggested by West Yorkshire Police.