

# Licensing Sub Committee Hearing Panel

Date: Friday, 8 April 2022

Time: 10.10 am (or at the rise of the Licensing and Appeals

**Sub-Committee Hearing Panel)** 

Venue: Council Chamber, Level 2, Town Hall Extension

This is a **supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published

#### Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

There is no public access from any other entrance of the Extension.

# Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Hewitson and Riasat

## **Supplementary Agenda**

4. Summary Review - Irish World Heritage Centre, 1 Irish Town 3 - 34 Way, Manchester, M8 0AE

Now added additional information submitted by GMP.

### **Further Information**

For help, advice and information about this meeting please contact the Committee Officer:

Ian Hinton-Smith Tel: 0161 234 3043

Email: ian.hinton-smith@manchester.gov.uk

This supplementary agenda was issued on **Monday, 4 April 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

#### IN THE MANCHESTER CITY TOWN HALL

BETWEEN:

THE CHIEF CONSTABLE
OF GREATER
MANCHESTER POLICE

**APPLICANT** 

AND

IRISH WORLD HERITAGE CENTRE

RESPONDENT

# INDEX TO BUNDLE OF DOCUMENTS

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CJ Act 1967, s.	<b>WITNESS STA</b> 9; MC Act 1980, ss.5A(3)(a) and 5B		rocedure Ru	les 2005, Ru	ule 27.1
		URN			
Statement of: Alan Isherwo	ood				
Age if under 18: 18+	(if over 18 insert 'over 18')	Occupation	n: Police Cor	ıstable	
This statement (consisting of knowing that, if it is tendere know to be Signature	of <b>\$</b> pages each signed by me) is tr d in evidence, I shall be liable to pr	ue to the bes osecution if I	have wilfully	vledge and by stated anyt	thing in it, which I

I am Police Constable 17659 Isherwood of the Greater Manchester Police, Licensing Officer for the City of Manchester Division, currently based in the Licensing Team at Manchester Town Hall Extension.

Check box if witness evidence is visually recorded (supply witness details on last page)

Part of my remit as licensing officer is to oversee all of the licensed premises on the City of Manchester Division. The objective of the role is to promote and maintain the 4 licensing objectives at licensed premises, those being the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

#### Irish World Heritage Centre

The premises are situated on Irish Town Way in the Cheetham area of Manchester. The premises licence was issued on 17/01/2013. The Premises Licence Holder (PLH) Irish World heritage Centre and the Designated Premises Supervisor (DPS) is Martin Connolly who has held this position since the licence was issued.

#### Incident

At 2256 hours on Sunday 13<sup>th</sup> March 2022 GMP received a 999 call stating that there was a group of travellers fighting at The Irish Heritage centre and that one male was unconscious.

At 2258 GMP received another 999 call from a female stating that there was a large disturbance at the premises and that guns and knives had been mentioned.

At 2301 hours there was a further update that the unconscious male was now conscious but that the fighting was still continuing and that the assistant manager was trying to separate them but no weapons had been seen.

Due to the mention of guns and knives a rendezvous point was established and police patrols made for this location and by 2302 hours there were patrols at the RV point.

At 2304 hours there was a further update to say that the fighting was still continuing and that there was glass everywhere and an old lady had been hit.

At 2305 hours the caller stated that there were 10 males and 5 females fighting with 2 other men and another female and a separate caller stated that the males were wrecking the place.

Signature	Signature witnessed b	ov.	
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#### RESTRICTED (when complete)

A further call came in at the same time from yet another caller stating that there were over 40 travellers fighting and that chairs and glasses were being thrown everywhere. A female could be heard shouting for people to get into the kitchen.

North West Ambulance Service were asked to make to the RV point but not to go straight to the premises due to the mention of guns and knives.

At 2306 hours the GMP call taker noted that they could hear screaming and shouting on the other end of the call.

At 2308 hours there was a further update that the offenders were destroying the place and were behind the bar throwing bottles and glasses.

At the same time yet another call came in stating that there were many people injured and that there were 10-15 people fighting and that an old lady who was an NHS volunteer had been punched in the face.

At 2310 hours the initial caller stated that the group were all travellers and that they had been in the premises most of the day.

At the same time yet another caller stated that there were people fighting in the foyer and were getting bottles and glasses from the bar. They stated that there was a security guard on site.

At 2312 hours the caller updated that the fighting was still ongoing and that they were using glasses.

At 2313 hours the caller stated that the staff were hiding in the kitchen but the offenders were trying to get into the kitchen.

At 2314 hours another caller stated that there was fighting in the car park and that there were vehicles crashing into each other.

At the same time a GMP Firearms patrol was despatched straight to the premises.

At 2317 the Firearms officers arrived and immediately requested the GMP Tactical Aid Unit to attend and the location as well as dog handlers.

BY 2322 hours the incident had been brought under control and the police officers started sweeping the building to look for injured parties and victims.

As a result of this incident a Crime for Violent Disorder and a Crime for Grievous Bodily Harm have been submitted and enquiries to trace the offenders are continuing. There is a clip of CCTV footage which GMP will show at the full review hearing and this is submitted as Exhibit AEI/1.

Clearly this was a terrifying incident for all those who were caught up in it, both staff and customers alike, and unfortunately a female NHS volunteer in her 70's has received nasty facial injuries as a result of being punched in the face.

Four days later on Thursday 17th March 2022 it was St Patrick's Day and at 2303 hours GMP received a call from the premises asking for our assistance with removing a group of customers who were refusing to leave. The call went on to state that the same group had been in the premises the day before and had been causing issues but had been allowed back into the premises today.



Signature witnessed by: ...

MG11

GMP attended and the group of customers left with no further issues but it raised the question as to why the group had been allowed in on the 17<sup>th</sup> March when they had been in the premises the day before and had caused issues.

Following this incident the DPS contacted GMP and informed them the premises had taken the decision to remain closed until at least Wednesday 23<sup>rd</sup> March 2022.

#### **Interim Steps Hearing**

On Thursday 17<sup>th</sup> March 2022 I applied for a Summary Review of the Premises Licence on the grounds that the Premises were associated with Serious Disorder. The certificate was signed by Superintendent Fraser.

The Interim Steps hearing took place on Monday 21<sup>st</sup> March 2022 at Manchester Town Hall where GMP outlined our concerns regarding the incident and showed the CCTV footage that we had available to the committee. We asked the committee to suspend the Premises Licence pending the outcome of the full review hearing and, after deliberation; the committee took the decision to suspend the Premises Licence pending the full review hearing on Friday 8<sup>th</sup> April 2022.

#### **Meeting**

On Tuesday 29<sup>th</sup> March 2022 a meeting took place between the operators of the premises, Manchester City Council Licensing and Out of Hours and GMP and the incident and Premises Licence were discussed at length. It was agreed that the incident was shocking and was attributable to a group of people who are not regular patrons of the premises and that there had been no indication during the day that there was any trouble brewing. In fact the day had been very good natured and trouble free right up until a couple of minutes before closing time when this incident had occurred.

It was also agreed that the Premises Licence was fairly weak in terms of robust conditions and that it was time that a good, strong set of conditions were attached to the licence so that it was clear to everyone what their requirements and responsibilities are in relation to upholding the 4 Licensing Objectives.

The meeting was very productive and all parties felt that working together and a strengthening of the Premises Licence was a sensible and proportionate way forward.

#### Conclusion

Having had chance to review this incident and have a good look at the Premises Licence, after having a discussion with my GMP colleagues, we are of the opinion that this premises has obviously fallen well short of how a licensed premises should have been operated and the Premises licence itself is very short on robust conditions.

GMP recognises that the committee has various decisions at its disposal and that their decision is something that can only be reached by their considered wisdom and their confidence that the premises can operate safely in the future and as such we respect whatever decision is reached at the full review hearing. If committee were however minded to a permit the premises to continue forward as a licensed premises then GMP would ask them to consider attaching the following conditions to the premises licence as the full decision as we believe that these will make the licence far more robust and better fit for purpose and minimise the risk of such a shocking incident occurring again.

The conditions are as follows:

CCTV cameras shall be located within the premises to cover all public areas including all entrances and exits. The system shall record clear images permitting the identification of individuals. The CCTV system shall be able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days. The CCTV system shall operate at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation. The CCTV system

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#### **RESTRICTED** (when complete)



shall be fitted with security functions to prevent recordings being tampered with, i.e. password protected. There shall be members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

SIA registered door supervision must be provided at a ratio of 1:100 on Fridays and Saturdays, on any day where there is an event with 100 or more attendees and any event relating to St Patrick's Day, from 2100 hours and must remain on duty until the premises are closed and all the customers have left. At all other times the requirement for door supervision shall be determined by a risk assessment carried out by the DPS. Whilst on duty door supervisors shall wear hi-viz jackets.

At least one member of SIA door supervision shall wear and operate a body camera to capture incidents of violence and/or anti-social behaviour. Footage from the camera shall be downloaded and stored for 28 days and made available to responsible authorities upon request.

A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.

Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.

For all large events an Event Management Plan shall be submitted to the Licensing Authority and Greater Manchester Police, at least 14 days prior to the event. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and Greater Manchester Police and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority and Greater Manchester Police.

The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.

All staff authorised to sell alcohol shall be trained in:

- (i) Relevant age restrictions in respect of products
- (ii) Prevent underage sales
- (iii) Prevent proxy sales
- (iv) Maintain the refusals log
- (v) Recognising signs of drunkenness and vulnerability
- (vi) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- (vii) How to refuse service
- (viii) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
- (ix) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services



Signature

Signature witnessed by: .



(x) The conditions in force under this licence. 34b) Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.



Signature:

Signature witnessed by:

ANNEX B

Greater Manchester Police Central Park Northampton Road Manchester

#### CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder<sup>1</sup>.

Premises<sup>2</sup>: Irish World Heritage Centre 1 Irish Town Way Manchester M8 0AE

Premises licence number (if known): 148190

Name of premises supervisor (if known): Martin Connolly

I am a Superintendent <sup>3</sup> in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the extreme violence which has occurred at the premises and the lack of action from the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder. Therefore due to the Serious Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take

<sup>&</sup>lt;sup>4</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.



<sup>&</sup>lt;sup>1</sup> Delete as applicable.

<sup>&</sup>lt;sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>&</sup>lt;sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

place.

The premises are situated on Irish Town Way in the Cheetham area of Manchester and the premises licence was issued on 17<sup>th</sup> January 2013. The Premises Licence Holder (PLH) is Irish World Heritage Centre and the Designated Premises Supervisor (DPS) is Martin Connolly who has held this position since the licence was issued.

The incident which has triggered this Summary Review is as follows:

At 2256 hours on Sunday 13<sup>th</sup> March 2022 GMP received a 999 call stating that there was a group of travellers fighting at The Irish Heritage centre and that one male was unconcious.

At 2258 GMP received another 999 call from a female stating that there was a large disturbance at the premises and that guns and knives had been mentioned.

At 2301 hours there was a further update that the unconcious male was now concious but that the fighting was still continuing and that the assistant manager was trying to separate them but no weapons had been seen.

Due to the mention of guns and knives a rendevous point was established and police patrols made for this location and by 2302 hours there were patrols at the RV point.

At 2304 hours there was a further update to say that the fighting was still continuing and that there was glass everywhere and an old lady had been hit. At 2305 hours the caller stated that there were 10 males and 5 females fighting with 2 other men and another female and a separate caller stated that the males were wrecking the place.

A further call came in at the same time from yet another caller stating that there were over 40 travellers fighting and that chairs and glasses were being thrown everywhere. A female could be heard shouting for people to get into the kitchen. North West Ambulance Service were asked to make to the RV point but not to go straight to the premises due to the mention of guns and knives.

At 2306 hours the GMP call taken noted that they could hear screaming and shouting on the other end of the call.

At 2308 hours there was a further update that the offenders were destroying the place and were behind the bar throwing bottles and glasses.

At the same time yet another call came in stating that there were many people injured and that there were 10-15 people fighting and that an old lady who was an NHS volunteer had been punched in the face.

At 2310 hours the initial caller stated that the group were all travellers and that they had been in the premises most of the day.

At the same time yet another caller stated that there were people fighting in the foyer and were getting bottles and glasses from the bar. They stated that there was a security guard on site.

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officers started sweeping the building to look for injured parties and victims. As a result of this incident a Crime for Violent Disorder and a Crime for Grievous Bodily Harm hve been submitted.

Clearly this was a terrifying incident for all those who were caught up in it, both staff and customers alike, and unfortunately an elderly female volunteer has received nasty facial injuries as a result of being punched in the face. GMP are concerned that there may be reprisals in relation to this incident as there often are following violent brawls of this nature and GMP's senior officers are not confident that the premises remaining open as a licensed premises is in the best interests of public safety.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Disorder.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Disorder has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further violence will occur at the premises and the licensing objectives will be further undermined. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety can only be promoted if the premises licence was supsended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.

Supt 15407 Zac Fraser 17.03.22

(Signed) (Date)





ANNEX C

#### FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Manchester City Council

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.** 

I Alan Isherwood [on behalf of] the chief officer of police for the Greater Manchester police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

#### 1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

Irish World Heritage Centre

1 Irish Town way

Post town: Manchester

Post code (if known): M8 0AE

#### 2. Premises licence details:

Name of premises licence holder (if known): Martin Connolly

Number of premises licence holder (if known): 24907R

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.



(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the extreme violence which has occurred at the premises and the lack of action from the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder. Therefore due to the Serious Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Irish Town Way in the Cheetham area of Manchester and the premises licence was issued on 17th January 2013. The Premises Licence Holder (PLH) is Irish World Heritage Centre and the Designated Premises Supervisor (DPS) is Martin Connolly who has held this position since the licence was issued.

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they had been in the premises most of the day.

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The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Disorder.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Disorder has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further violence will occur at the premises and the licensing objectives will be further undermined. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety can only be promoted if the premises licence was supsended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.



Signature of applicar

Date: 17/3/22

Capacity: Licensing Constable

Contact details for matters concerning this application:

Address:

Manchester Town Hall Extension Lloyd Street Manchester M2 5DB

Telephone number(s): 0161 856 6017

Email: alan.isherwood@gmp.police.uk

#### Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory

Power's Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

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