

# Licensing Sub Committee Hearing Panel

Date: Monday, 25 July 2022

Time: 10.00 am

Venue: Council Antechamber, 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 Antechamber**

Public access to the Council Antechamber 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. There is no public access from the Lloyd Street entrances of the Extension.

# Membership of the Licensing Sub Committee Hearing Panel

**Councillors** - Andrews, Flanagan and Hewitson

### **Supplementary Agenda**

4. Summary Review - Bloom, 100 Bloom Street, Manchester, M1 3 - 114 3LY

Now contains 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 **Tuesday, 19 July 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

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THE CHIEF CONSTABLE APPLICANT
OF GREATER
MANCHESTER POLICE

AND

CLUB BLOOM RESPONDENT

## INDEX TO BUNDLE OF DOCUMENTS

No Applican	DOCUMENT <u>t's Evidence</u>	PAGE No
_ 1	Witness statement of PC Alan Isherwood dated 18/07/22	1-6
2	Crime Reports	7-46
4	Summary Review Certificate signed by Superintendent Downey	47-50
5	Summary Review Request signed by PC Hammersley	51-54

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		URN			
Statement of: Alan Isherwood		<u></u>	1	———I.,,,	
Age if under 18: 18+	(if over 18 insert 'over 18')	Occupation	n: Police Con	stable	
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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.

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.

#### Club Bloom

The premises are situated on Bloom Street in the Village area of Manchester and the premises licence was issued on 31/08/2005. The Premises Licence Holder (PLH) Lapwine Limited and the Designated Premises Supervisor (DPS) is Joe Maybury who has held this position since January 2018.

#### Incidents

Greater Manchester Police have had a look back over the past 12 months at violence, threat and sexual type crimes that have been recorded against these premises and there is a total of 38. A brief precis of each of these is as follows:

At 0530 hours on Thursday 12th August 2021 a male was assaulted by unknown persons at the premises leaving him with a fractured eye socket, puncture to his tongue and bruising to his body. Police were called to the incident. A crime for Section 18 Malicious wounding was recorded but the offenders were never traced. This crime report can be found at page 7 of the bundle.

At 0430 hours on Saturday 21st August 2021 security at the premises had cause to eject a customer who was causing issues within the premises. This customer has then proceeded to punch one of the security staff causing no visible injury and police were called to the incident. A crime for Common Assault was recorded but the victim did not wish police to pursue the matter. This crime report can be found at page 8 of the bundle.

At 0500 hours on Sunday 22<sup>nd</sup> August 2021 security at the premises had cause to eject a male from the premises due to his level of intoxication and his aggressive manner. Once outside he has been arguing with the security and has pushed a female member of the public, so the door staff have detained the male and the police were called to the incident. A crime for Affray was recorded but the female told the door staff that she did not want to pursue the matter and left the location prior to the arrival of the police. The crime was subsequently closed due to lack of a formal complaint. This crime report can be found at page 9 of the bundle.

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At 0300 hours on Tuesday 7<sup>th</sup> September 2021 a female customer and her friends walked out of the premises to use the smoking area. A member of security has sworn at them aggressively telling them to hurry up and has also filmed them on his phone. This cause alarm and distress to the female customer and a crime for Public Order was recorded. Police were called to the incident, but the victim stated that she didn't want to take the matter any further and simply wanted the crime recording. This crime report can be found at page 10 of the bundle.

At 0430 hours on Saturday 18<sup>th</sup> September 2021 a member of security refused entry to a male due to his demeanour and the male has then attempted to punch the victim and was detained. Police were called to the incident. A crime for Common Assault was recorded but the victim did not wish to pursue the matter and the crime has been filed. This crime report can be found at page 11 of the bundle.

At 0428 hours on Tuesday 26<sup>th</sup> October 2021 the victim, a male customer, was sat in the premises with an unknown male. This unknown male has then put his tongue down the victim's throat without consent causing the victim distress. A crime for sexual assault was recorded. Police were called to the incident, but the offender had left and could not be identified. This crime report can be found at page 12 of the bundle.

At 0537 hours on Friday 5<sup>th</sup> November 2021 a group of males were involved in an altercation outside the premises and a female has intervened to try and break it up. One of these males has then pushed her causing her to fall to the ground where she became unresponsive. An ambulance was called, and the victim was treated before going on her way. Police attended the incident and spoke to the victim who stated that she didn't wish to pursue the matter. A crime for Common assault was recorded and filed. This crime report can be found at page 13 of the bundle.

At 0515 hours on Sunday 7<sup>th</sup> November 2021 a male was refused entry to the premises by security and states that he was assaulted by one of the security staff. Police were called and security were spoken to and stated that a group of males were refused entry to the premises due to their lairy behaviour. The victim was contacted by telephone but would not support the investigation. A crime for Common Assault was recorded and filed. This crime report can be found at page 14 of the bundle.

At 0354 hours on Friday 12<sup>th</sup> November 2021 a male victim was punched by an unknown offender inside the premises causing a cut to his nose, scratches on his neck and a sore head. A crime for ABH was recorded but the victim did not wish to take the matter any further, so the crime was filed. This crime report can be found at page 15 of the bundle.

At 0815 hours on Saturday 20<sup>th</sup> November 2021 police were called to a fight outside premises. Two males who were ejected from the premises began to fight outside the venue. The victim who is a doorman tried to intervene and a result got bit by the offender on his index finger causing a small cut. The offender was initially detained and arrested for this however upon speaking to the victim he did not wish to support a prosecution due to minor injuries. A crime for ABH and a crime for Affray were recorded and filed. These crime reports can be found at pages 16-17 of the bundle.

At 0400 hours on Sunday 21st November 2021 a female was ejected from the premises by security and stated that she had her face pushed into the ground by a female security officer. A crime for Common Assault was recorded and after CCTV was later checked it was finalised as a lawful ejection, but the reason that the female was ejected in the first place was due to taking drugs in the toilets, which is a concern. This crime report can be found at page 18 of the bundle.

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At 0438 hours on Monday 6th December 2021 a male customer was ejected from the premises and has sustained a cut to his ear and stated that security threatened him with a stick. Police were called to the incident, but the victim had made off. A crime for ABH was recorded but the victim would not support a prosecution, so the crime was filed. This crime report can be found at page 19 of the bundle.

At 0300 hours on Saturday 11th December 2021 the victim, a male customer, was waiting outside the toilets inside the premises and an unknown male has confronted him and engaged him in conversation. The unknown male has then gone into the toilets before coming back out and repeatedly punching the victim in the face causing bruising. A crime for ABH was recorded but the offender was never traced, and the crime was finalised. This crime report can be found at page 21 of the bundle.

At 0400 hours on Saturday 11th December 2021 a female customer was dancing in the premises and a male offender has begun dancing close to her and has then touched her breasts and vagina over her clothing and rubbed himself up against her without consent. Other customers have witnessed this, and one has taken hold of the offender and taken him to the front door and informed security what has happened and asked them to ring the police. However, the male has been allowed to walk away. A passing police patrol was alerted and spoke to the victim and a crime for Sexual Assault was recorded. The offender was never traced, and the crime was filed. This crime report can be found at page 22 of the bundle.

At 0249 hours on Thursday 6th January 2022 a female was inside the female toilets when a male has entered the toilets and touched her on her breasts above her clothing and tried to put his hand down her top. Police were called to the incident and a crime for Sexual Assault was recorded. The offender was not traced so the crime was filed. This crime report can be found at page 23 of the bundle.

At 0100 hours on Saturday 8th January 2022 a female customer and her boyfriend were involved in an altercation with a group of males which resulted in her boyfriend being punched in the face and her being inadvertently hit in the face whilst trying to split up the fighting. This resulted in her receiving a cut to her mouth. Police attended the incident, but the group of males had since made off. A crime for ABH and a crime for Common assault were recorded. The offenders could not be traced, and the crimes have been filed. These crime reports can be found at pages 24-25 of the bundle.

At 0012 hours on Saturday 15th January 2022 a male contacted GMP and stated that his friend had had his ID taken off him by security at the premises and when his friend challenged this the security called him a "Faggot". A crime for Public Order was recorded and closed pending contact from the male who the alleged comments were made to. This crime report can be found at page 26 of the bundle.

At 0500 hours on Saturday 22<sup>nd</sup> January 2022 the victim and his partner were in the venue and the premises were in the process of asking customers to leave as they were closing. The victim and his partner remained in the premises and were approached by security and a verbal altercation has ensued. The victim has then been forcibly ejected from the premises and during this he has been struck to the face by security resulting in facial injuries and a blooded nose. A report of crime for ABH has been recorded and, as a result of enquiries, some members of the security have been interviewed under caution and a charging decision from the CPS is being awaited. The matter has also been referred to the SIA. This crime report can be found at page 27 of the bundle.

At 0200 hours on Monday 24th January 2022 a male customer was dancing in the premises when he was approached by a female who is known to him who proceeds to punch him in the face causing swelling and bleeding to his lip, whilst threatening to kill him. A crime for ABH was recorded but due to the subsequent lack of co-operation from the victim the crime has been filed. This crime report can be found at page 28 of the bundle.

At 0630 hours on Sunday 6th March 2022 a female customer and her friend were in the premises when they were approached by an unknown male who has proceeded to punch both of them in the face causing her friend to receive a cut under her eyebrow which required gluing. A report of crime for GBH has been recorded

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but no offender has been identified so the crime has been filed. This crime report can be found at page 29 of the bundle.

At 0630 on Sunday 6<sup>th</sup> March 2022 the victim was inside the premises which he saw his partner being assaulted by a group of males. His partner was pushed to the ground and kicked. He went to the aid of his partner and the males then turned on him. They pushed him to the floor and began kicking and punching him resulting in him sustaining a bloody nose, scratches to his face and neck and a lump on his head. 2 crimes for ABH were recorded but both the victims did not wish to pursue the matter, so they have been filed. These crime reports can be found at pages 30-31 of the bundle.

At 0500 hours on Sunday 13<sup>th</sup> March 2022 a female customer was leaving the premises when she was approached by another female who punched her in the face before making off. A crime for ABH was recorded but the offender was not located so has been filed. This crime report can be found at page 32 of the bundle.

At 2340 hours on Sunday 3<sup>rd</sup> April 2022 the victim, who is a member of security was punched in the face by a female customer. The female was detained by security and subsequently arrested by police and later received a caution for the offence. A crime for Common Assault was recorded. This crime report can be found at page 33 of the bundle.

At 0400 hours on Saturday 23<sup>rd</sup> April 2022 security at the premises saw a male offender assault another unknown male in the premises. The offender was then ejected by security. A crime from Common assault was recorded but as the victim was never traced it has been filed. This crime report can be found at page 34 of the bundle.

At 0455 hours on Saturday 7<sup>th</sup> May 2022 security staff had cause to ask a female customer to leave. She refused and began to shout at the security, so they took hold of her and removed her by force from the premises. The female has then slapped one of them across the face causing no visible injuries. A crime for Common assault was recorded but the security did not wish to pursue the matter, so it has been filed. This crime report can be found at page 35 of the bundle.

At 0420 hours on Friday 20<sup>th</sup> May 2022 a male was arguing with security at the premises when he has been hit by an unknown person and knocked to the ground causing cuts to his hands. A crime for ABH was recorded and has been filed due to the offender not being identified. This crime report can be found at page 36 of the bundle.

At 0330 hours on Sunday 29<sup>th</sup> May 2022 a male was walking past the premises when he has seen a group of males fighting in the queue for the premises. He has gone over to try and help break it up and one of the males called him a "fucking faggot" which caused him alarm and distress. A crime for Public Order was recorded but due the offender not being traced has been filed. This crime report can be found at page 37 of the bundle.

At 0425 Hours on Sunday 29<sup>th</sup> May 2022 security had cause to refuse 2 female customers entry to the premises due to their level of intoxication. These females have then began hitting the security staff and have been detained. Police were called and the security staff stated that they did not wish to pursue a criminal investigation and wanted the females removing form the area. A crime for Common Assault was recorded and filed. This crime report can be found at page 38 of the bundle.

At 0459 Hours on Monday 30<sup>th</sup> May 2022 a male customer was in the premises when an unknown offender has approached him and made homophobic comments towards him, causing him alarm and distress. A Crime for Public Order was recorded but due to the offender not being identified it has been filed. This crime report can be found at page 39 of the bundle.

At 0500 hours on Friday 3<sup>rd</sup> June 2022 the victim, a male customer was in the smoking area of the premises when he got in a verbal altercation with another unknown male customer. This unknown male shoved the

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victim, and a tussle has ensued resulting in the security staff approaching them to split them up. One member of security has then proceeded to kick and punch the victim repeatedly causing him to briefly lose consciousness and he sustained a broken nose and other facial injuries. Enquiries into this offence are still ongoing and the incident has been referred to the SIA. Crimes for Wounding with Intent and Common Assault have been recorded. These crime reports can be found at pages 40-41 of the bundle.

At 0410 hours on Saturday 4<sup>th</sup> June 2022 a female was searched prior to entry to the premises and a small quantity of cannabis was removed from her bag. An argument between security and herself has then taken pace and the female states that the security swore at her, spat at her and pushed her in the chest. Enquiries into this report are still ongoing and a crime for Common Assault has been recorded. This crime report can be found at page 42 of the bundle.

At 0130 hours on Friday 17<sup>th</sup> June 2022 the victim who is non-binary, but for the purposes of crime recording has been classified as male, was forced into a toilet cubicle at the premises and then forced to perform oral sex on the offender before being raped. The offender has been identified and arrested and enquiries are ongoing at this time. 2 crimes for Rape have been recorded and are still being investigated. These crime reports can be found at pages 43-44 of the bundle.

Finally, we have the crime which resulted in the Summary Review process being instigated which occurred in the early hours of Wednesday 29th June 2022. This is the crime in which the female victim was raped in the male toilets by a 14-year-old boy who had been allowed access into the premises without any age verification checks being carried out. The boy is seen to fraternise with members of the security and even accept a cigarette from one of them and shadow box with another, before raping the victim. The security staff initially place the boy in a fenced off smoking area whilst they talk to the manager, but the boy is allowed to walk away a short time later. A crime for Rape has been recorded and the boy has since been arrested and enquiries are continuing. This crime report can be found at page 45 of the bundle. There is some CCTV footage of the male and some body cam footage which GMP will be showing at the full review hearing.

#### **Interim Steps Hearing**

On Wednesday 29<sup>th</sup> June 2022 PC 15092 Stuart Hammersley applied for a Summary Review of the Premises Licence on the grounds that the Premises were associated with Serious Crime. The certificate was signed by Superintendent Downey.

The Interim Steps hearing took place on Friday 1st July 2022 remotely and GMP outlined our concerns regarding the incident. 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 Monday 25th July 2022.

#### 2<sup>nd</sup> Interim Steps Hearing

Following an appeal against the interim suspension from the PLH, a second Interim Steps hearing took place on Wednesday 13<sup>th</sup> July 2022 at the Royal Exchange and the same concerns were outlined to the committee and CCTV footage was shown. GMP asked committee to uphold the suspension, and, after deliberation, this decision was upheld.

#### Conclusion

Having reviewed the number of violent, sexual and threat crimes that have occurred over the previous 12 months and the level of violence used in a number of them, coupled with the shocking nature of the most serious crime in which a female was raped by a 14-year-old boy, GMP do not have confidence that the operators can run this premises safely. We are seriously concerned that to allow the premises to continue as a licensed premises is highly likely to see further serious crimes occurring and further harm caused to customers.

The premises licence already has numerous, strong conditions and it is worth noting that the door company was only changed in January of this year after concerns regarding the previous company, so it is apparent that this is not a satisfactory solution.

During the second Interim Steps hearing the PLH proposed, as one of the alternatives to suspension, replacing the security provider with a company called i Guard.

One of the conditions on the premises licence is that security must be provided by a company who have Approved Contractor Status and according to the SIA website i Guard do not hold this accreditation so would not be able to provide security at this premises.

Another company called Industry Security UK Ltd was also represented at the hearing and this company is SIA accredited, so they would be able to provide security, but not subcontract the work to a non-SIA accredited company.

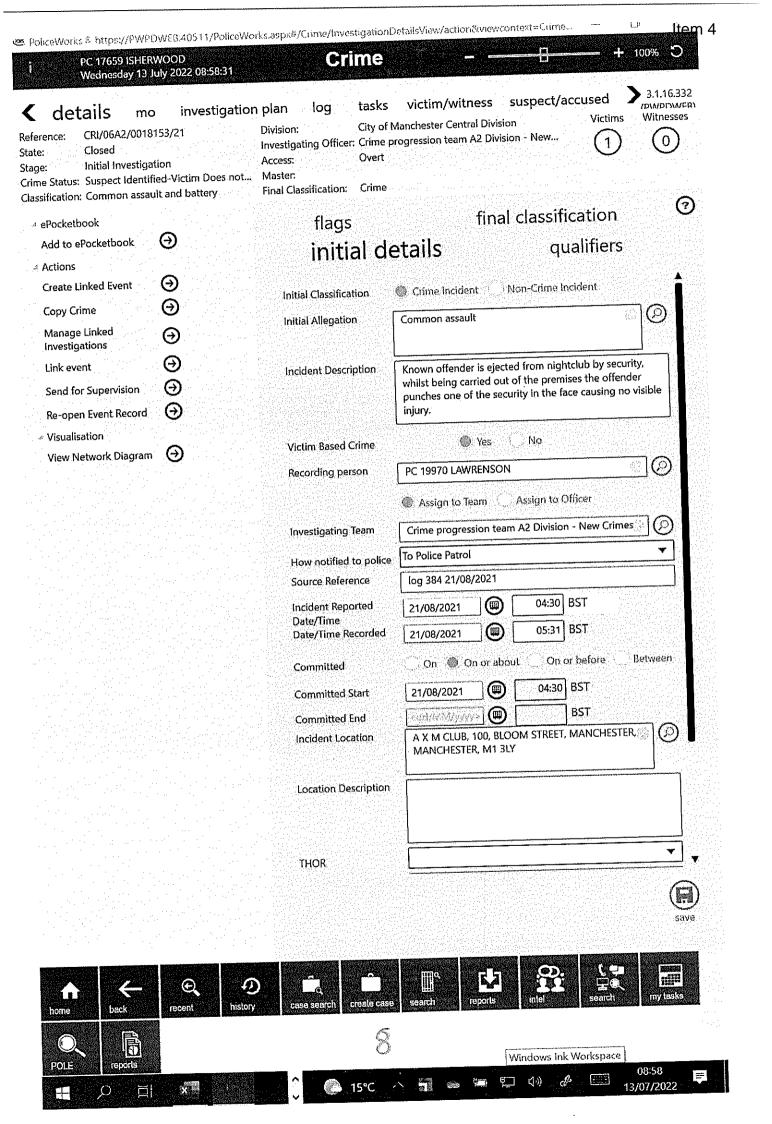
GMP believe the premises unfortunately attracts some clientele who seek to cause harm and fear to others, and it has become a premises that many people gravitate towards when other premises they have been in for several hours have closed. This means that their levels of intoxication are often already very high when they go there and GMP believe that this contributes significantly to the issues arising there.

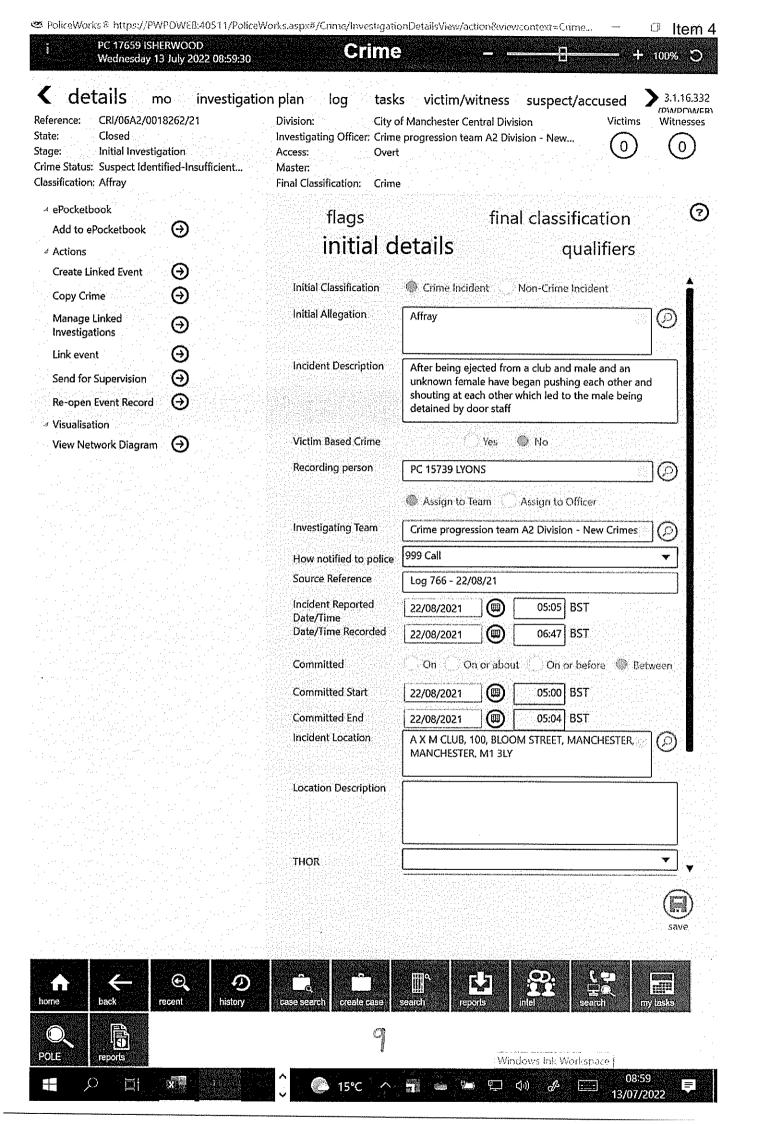
Therefore, due to these serious concerns, GMP asks committee to Revoke the Premises Licence.

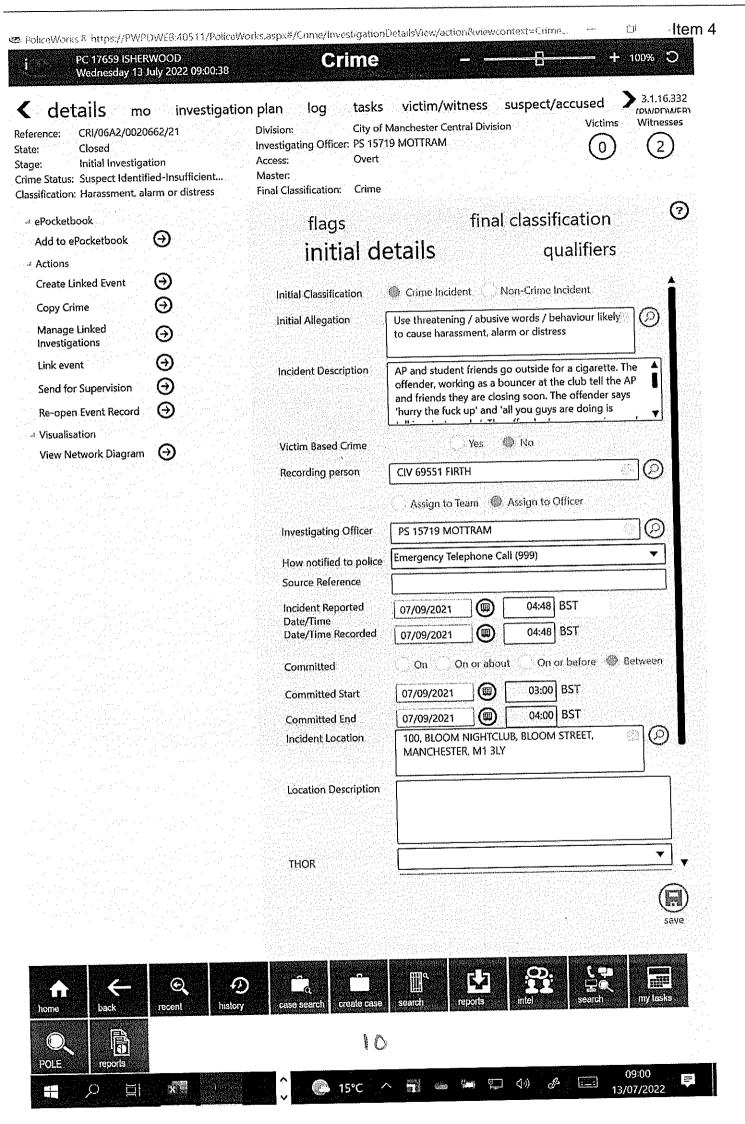
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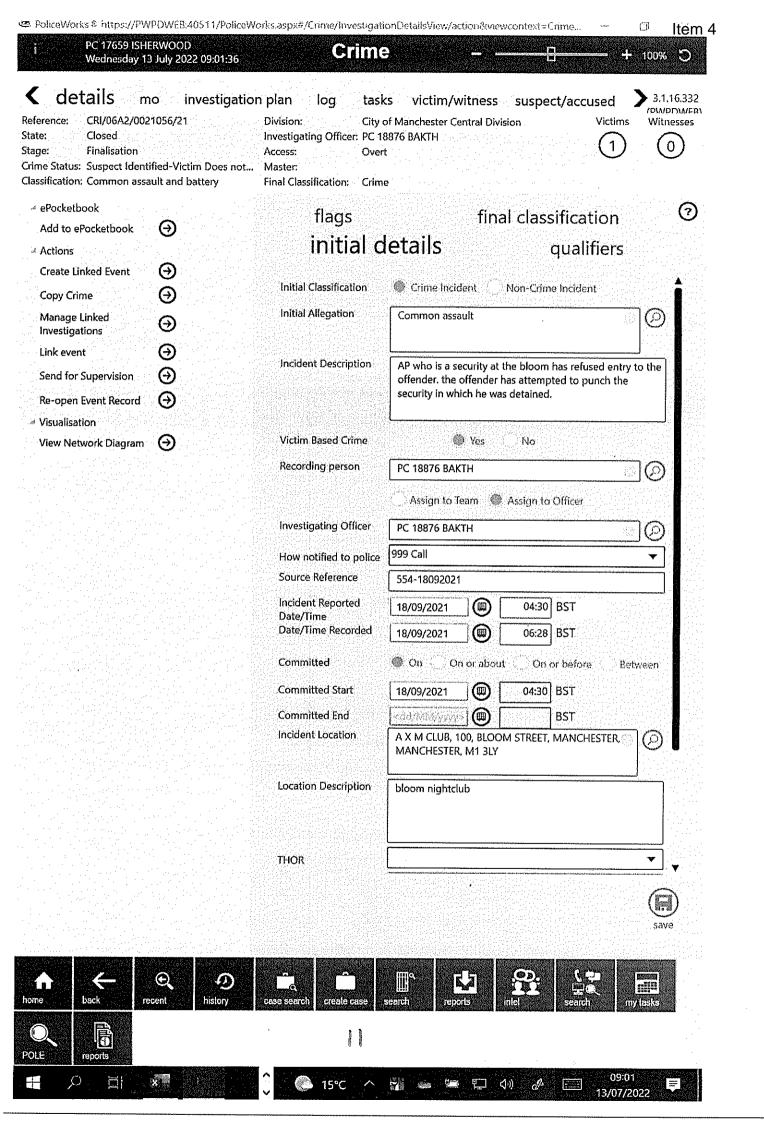
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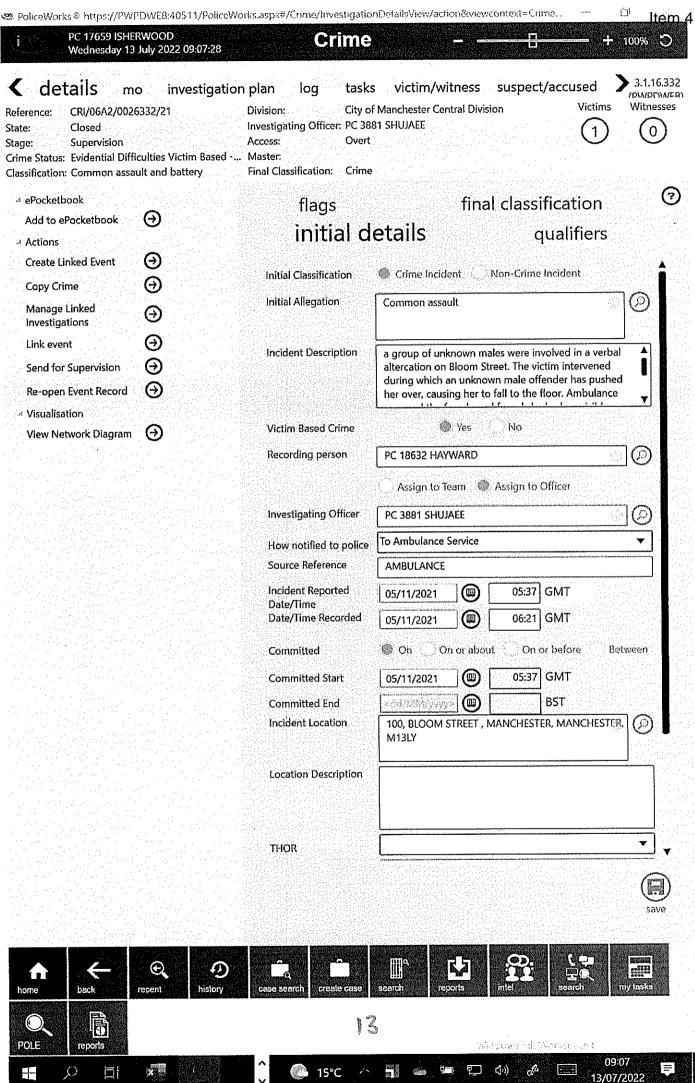


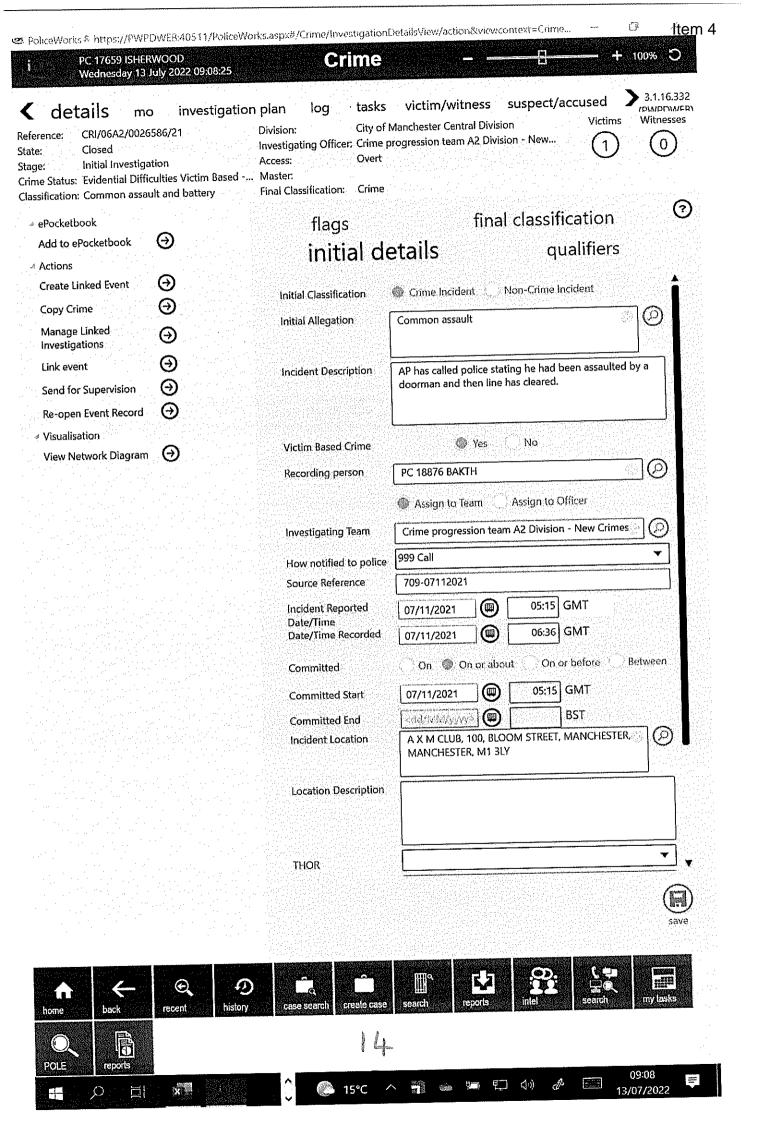


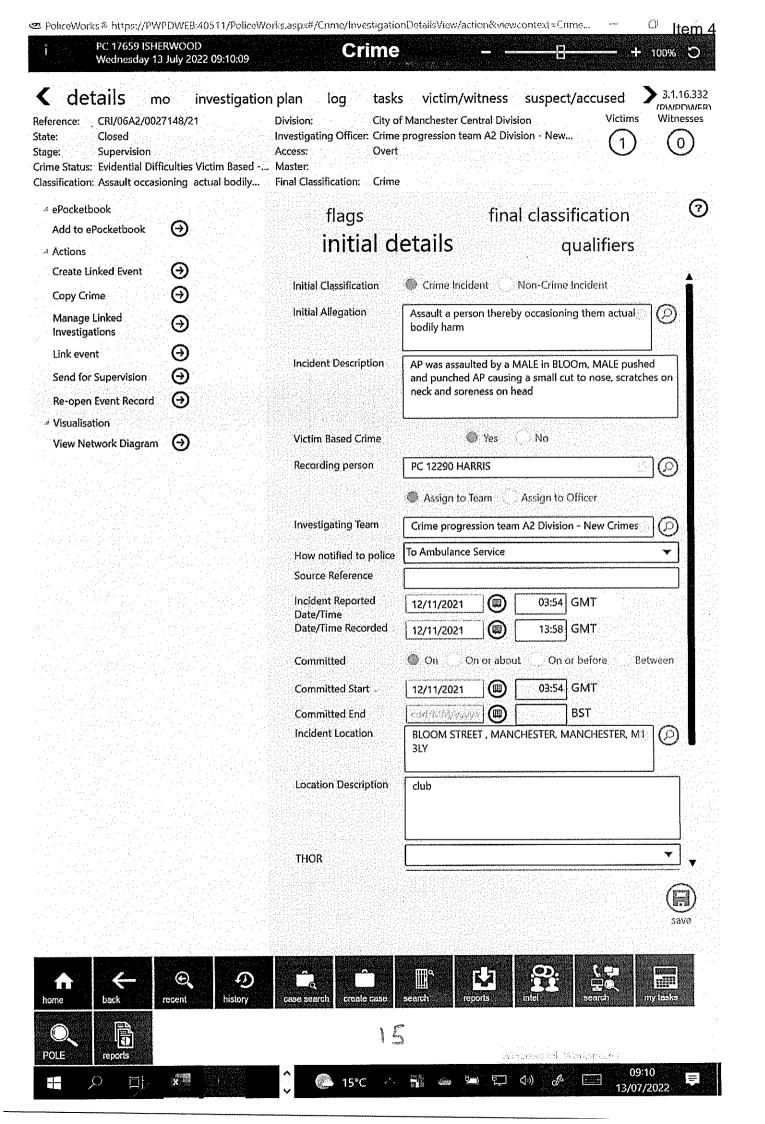


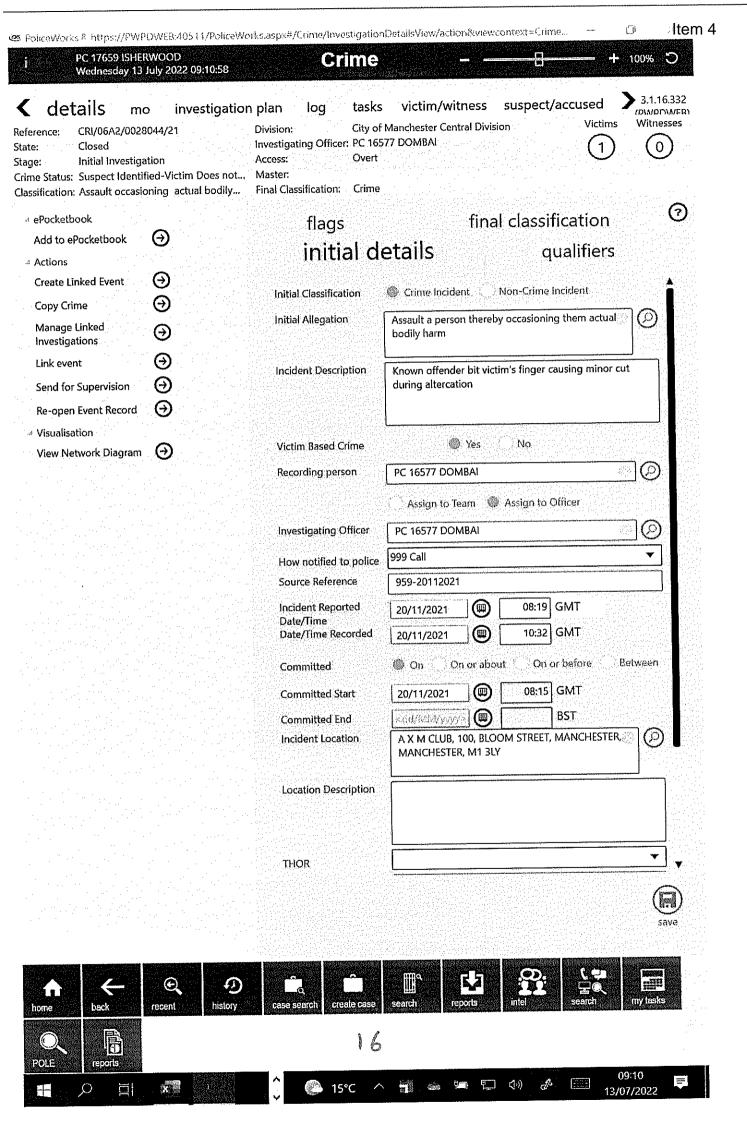
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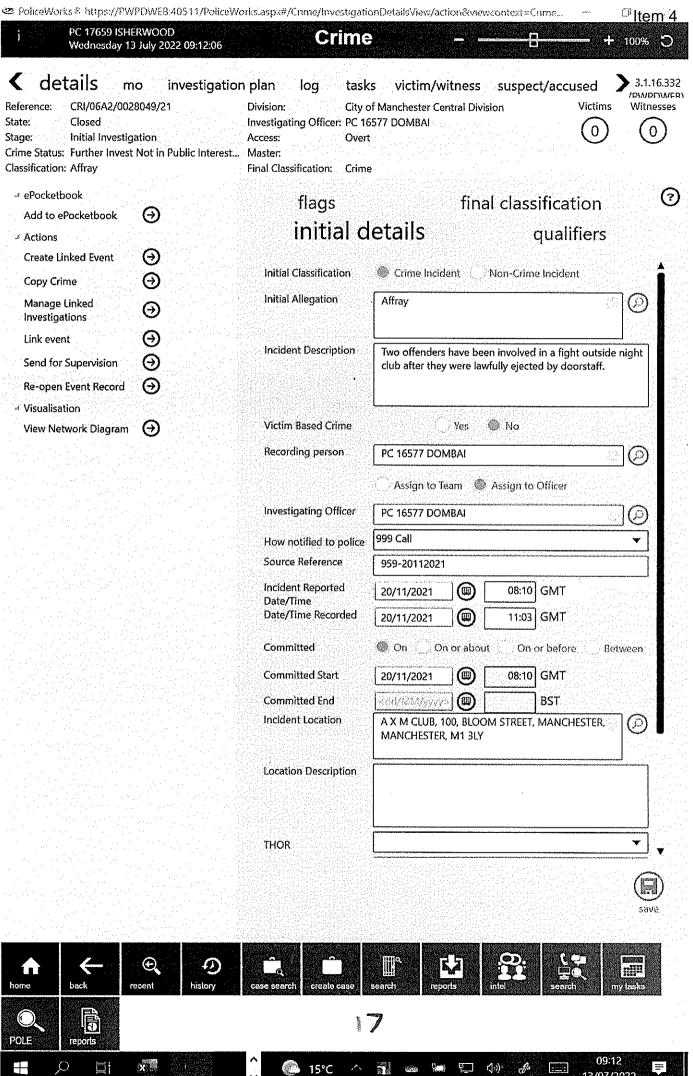


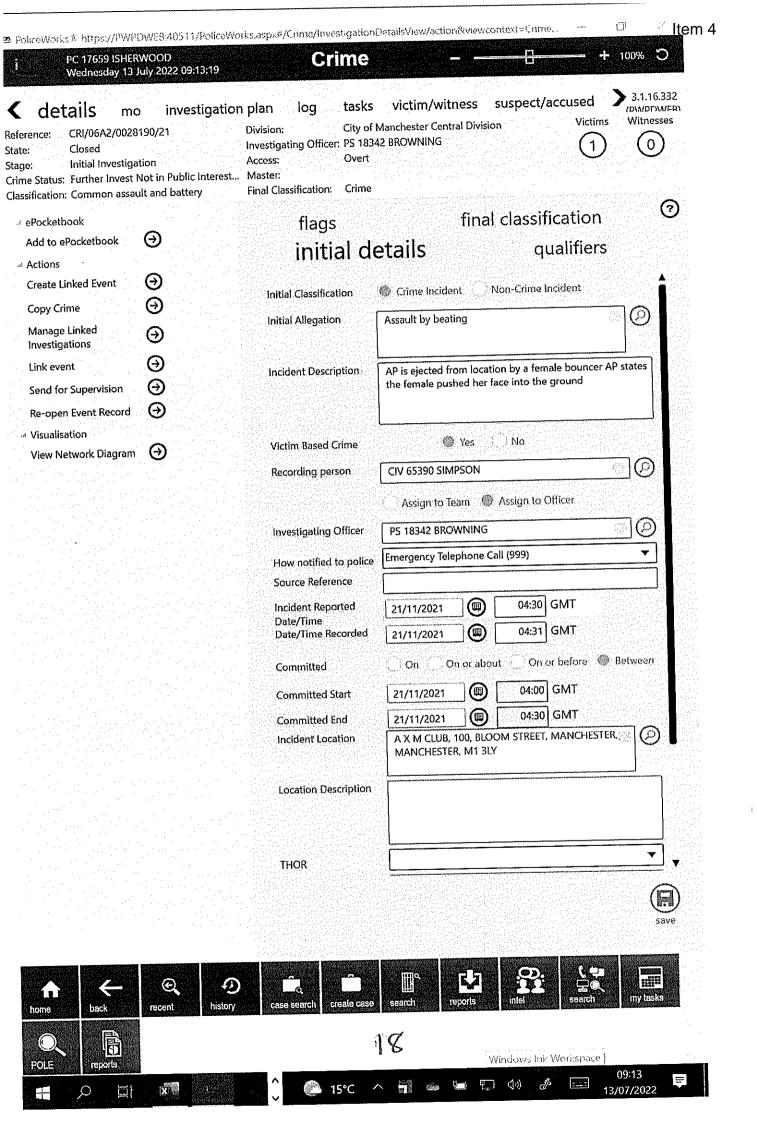


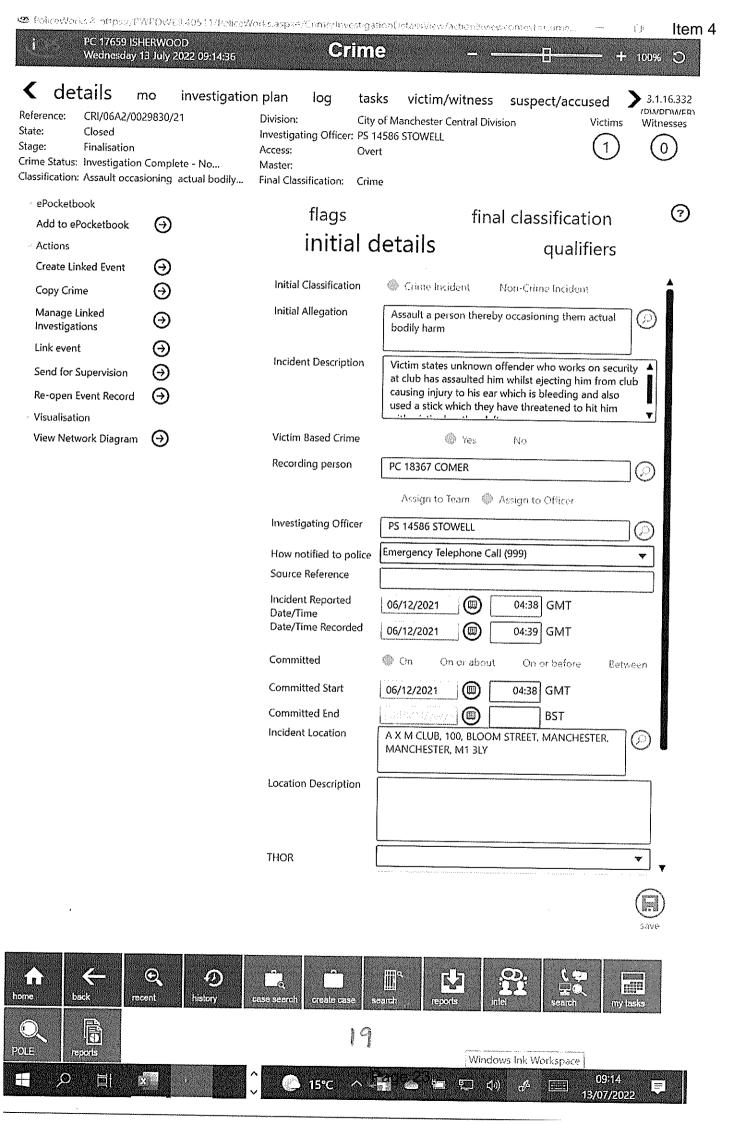




























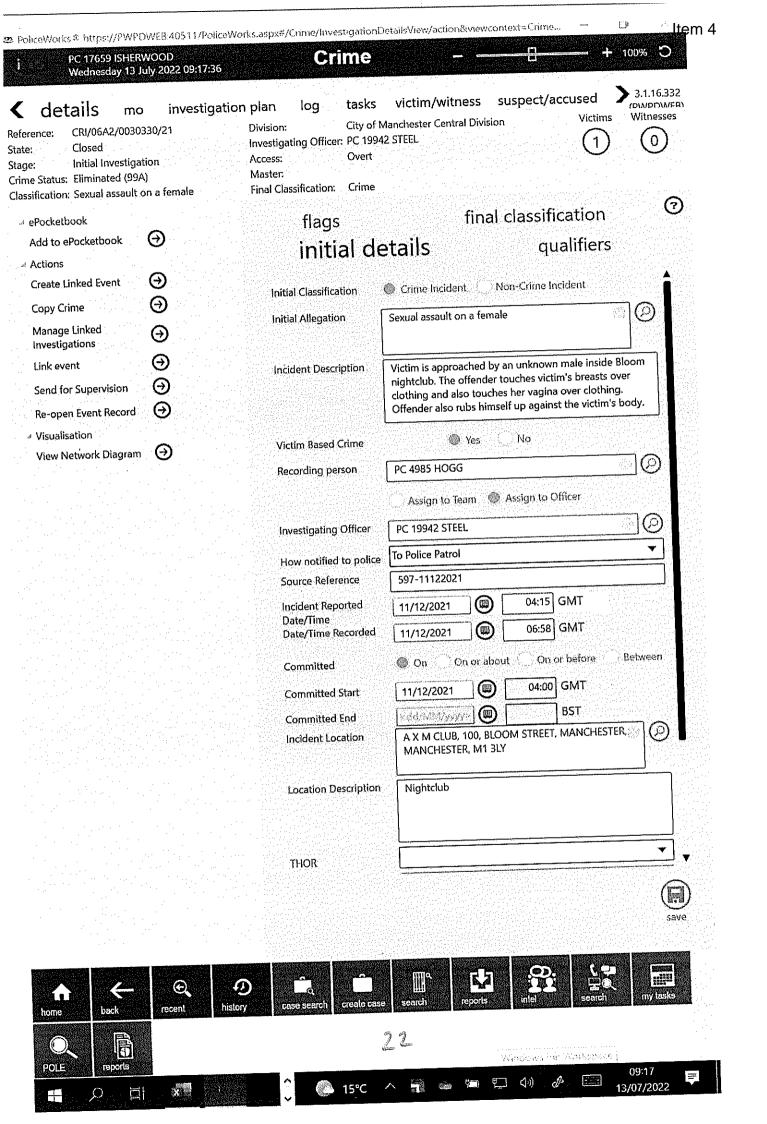


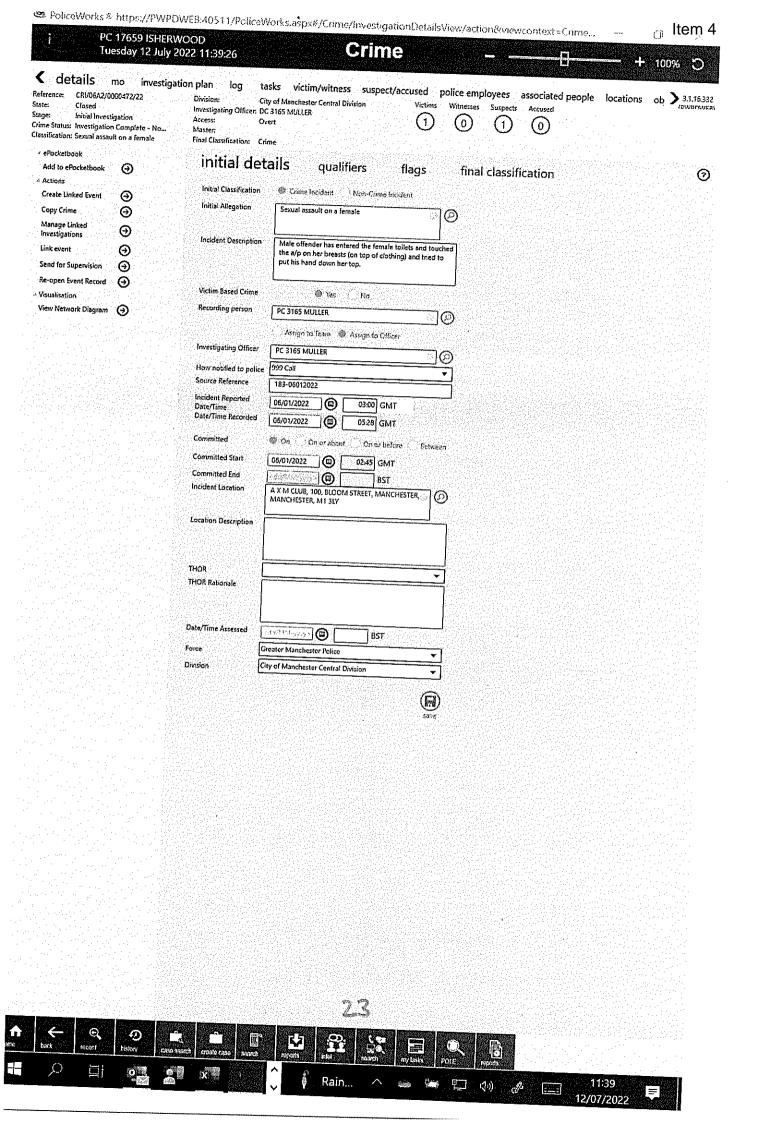


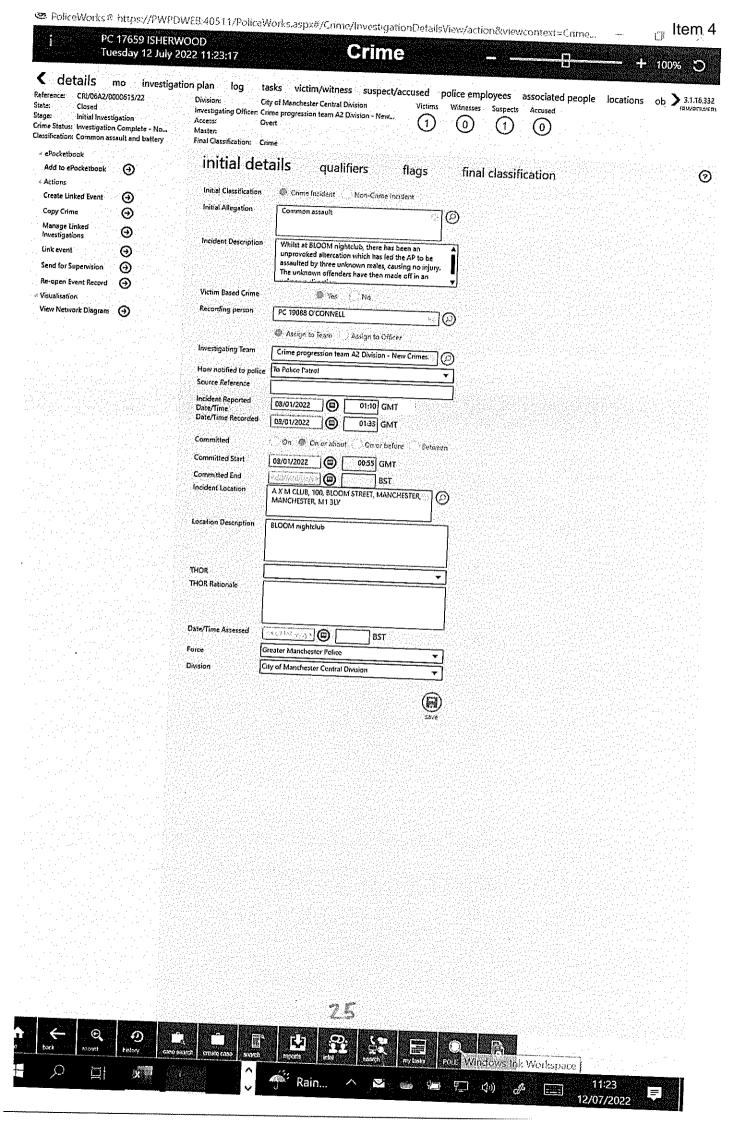


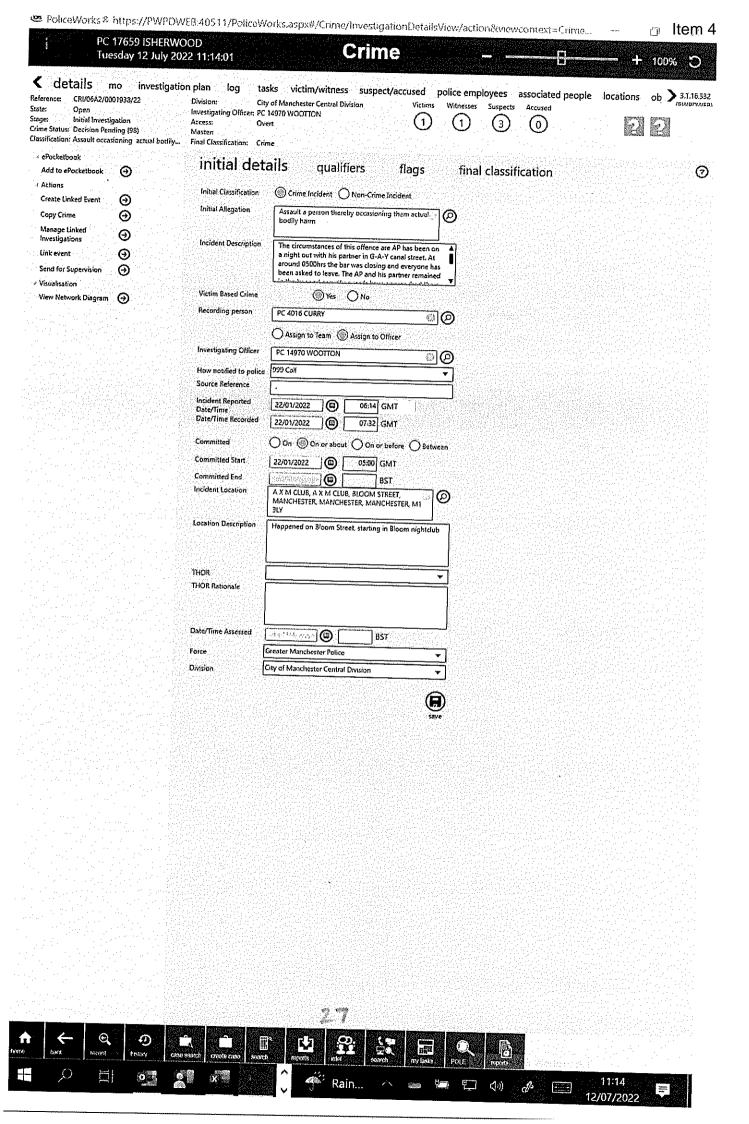


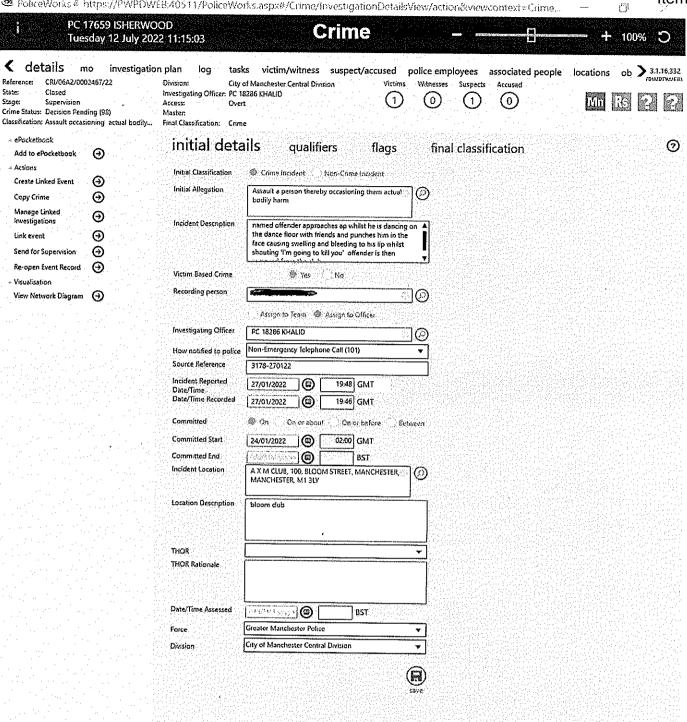












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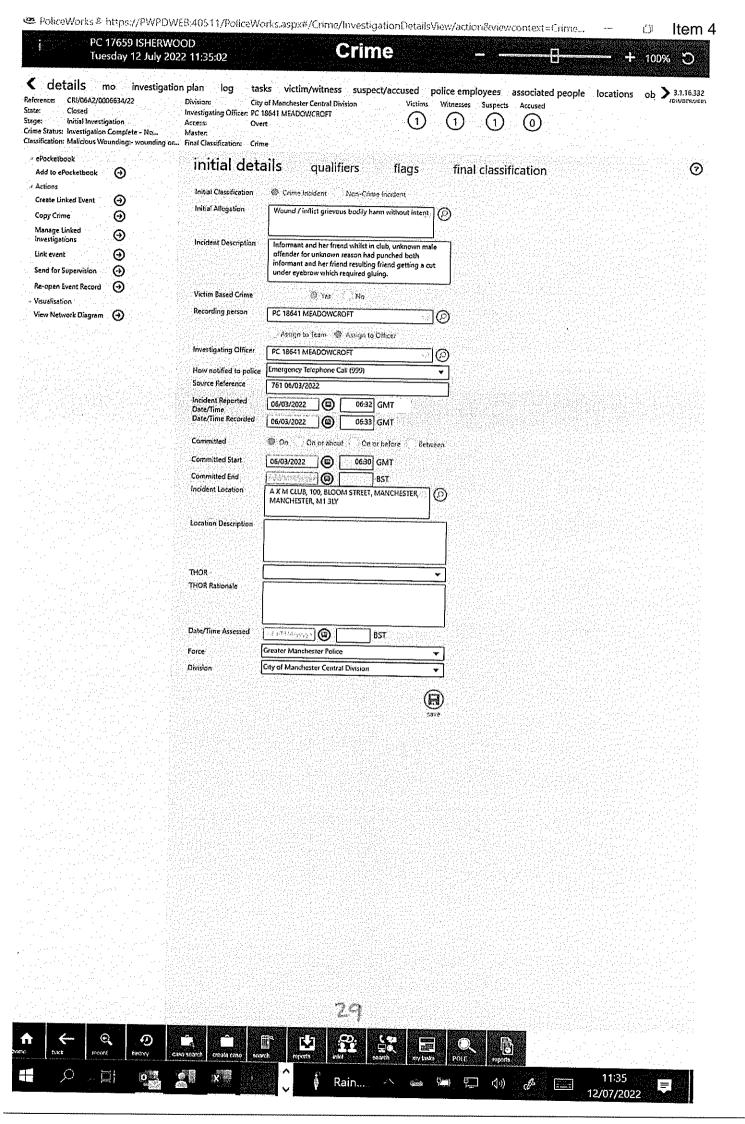












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Greater Manchester Police City of Manchester Central Division

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Committed

Committed Start

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Incident Location

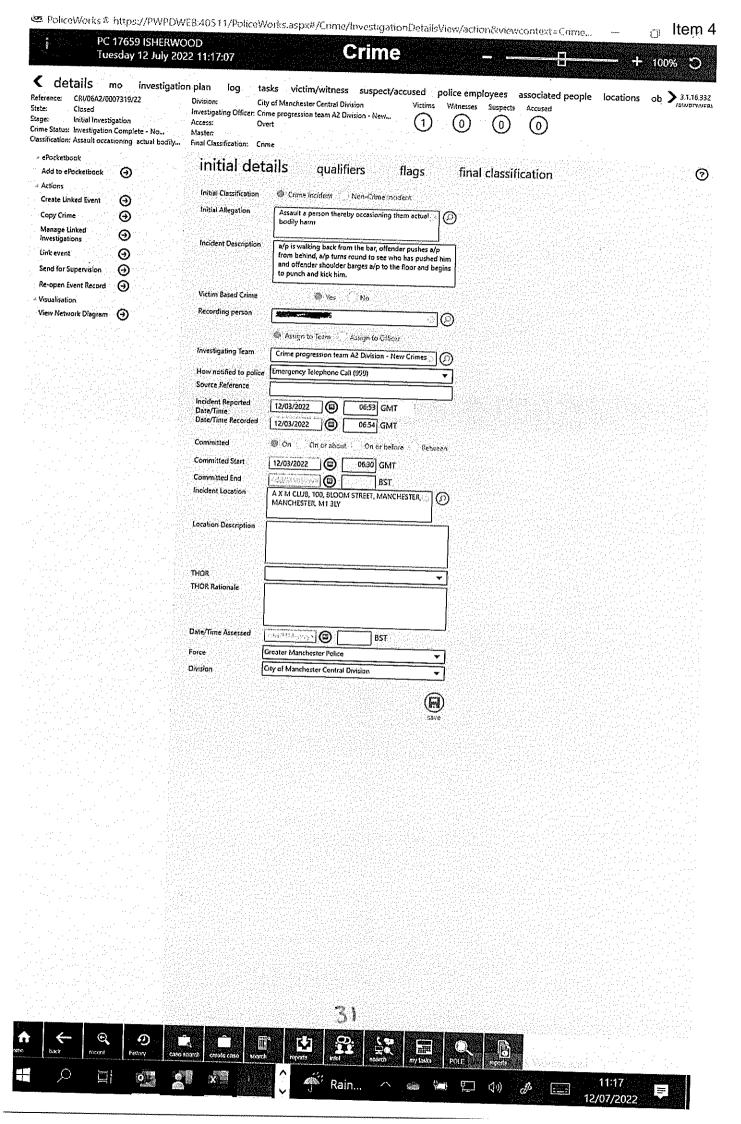
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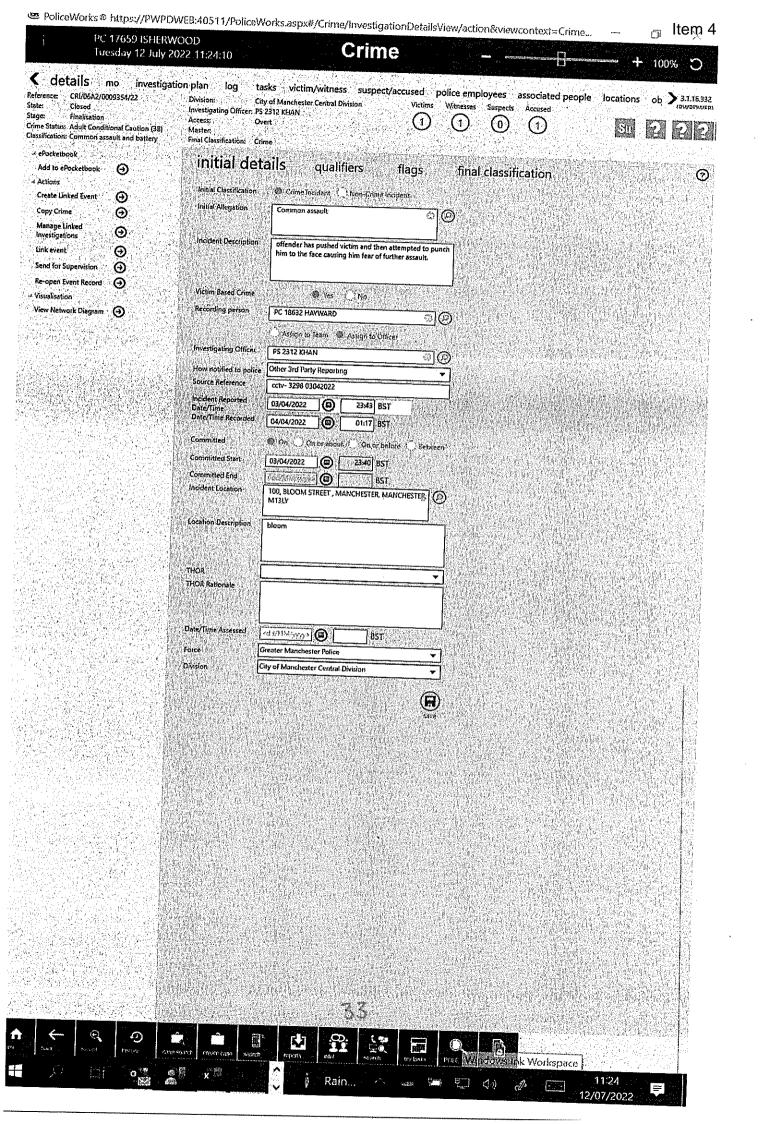
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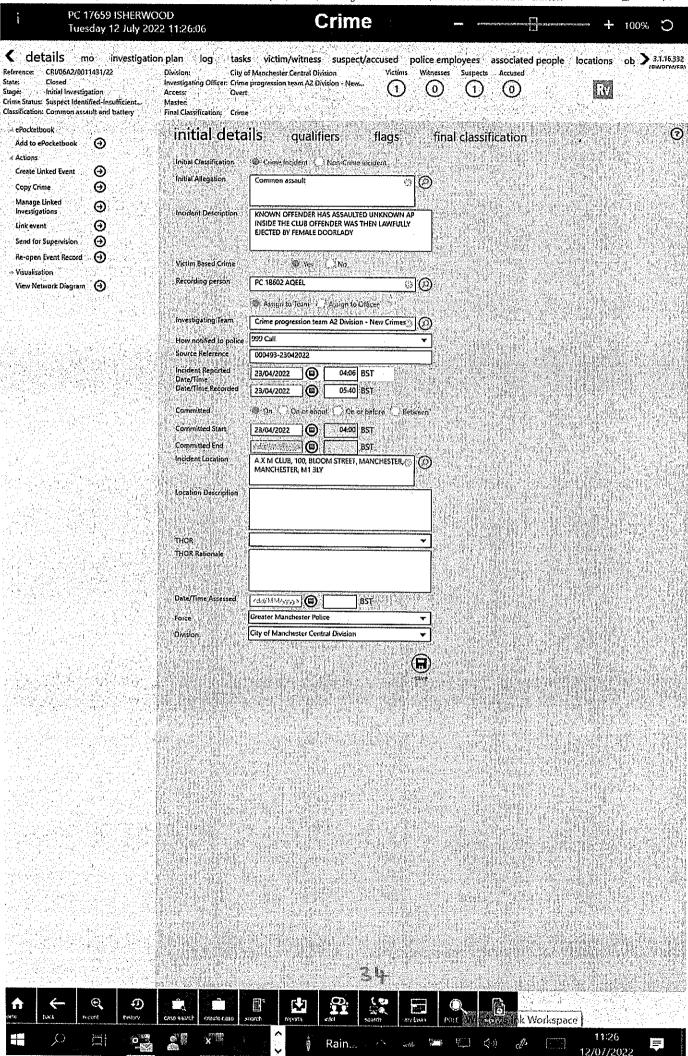
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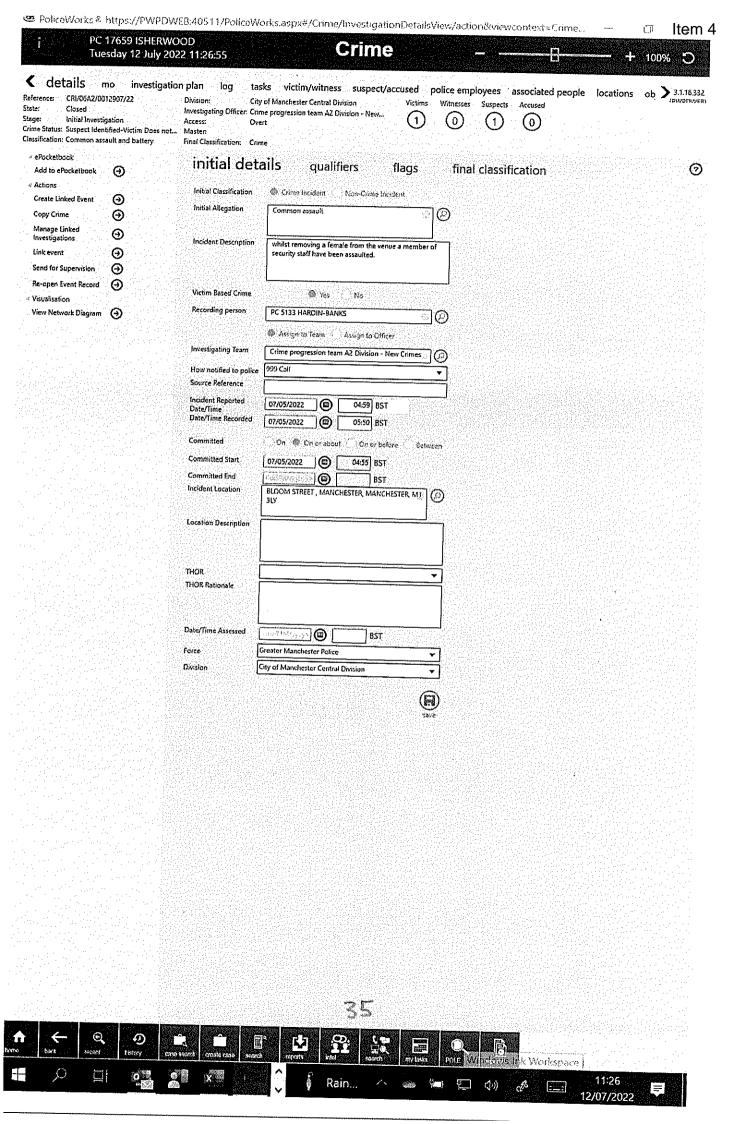
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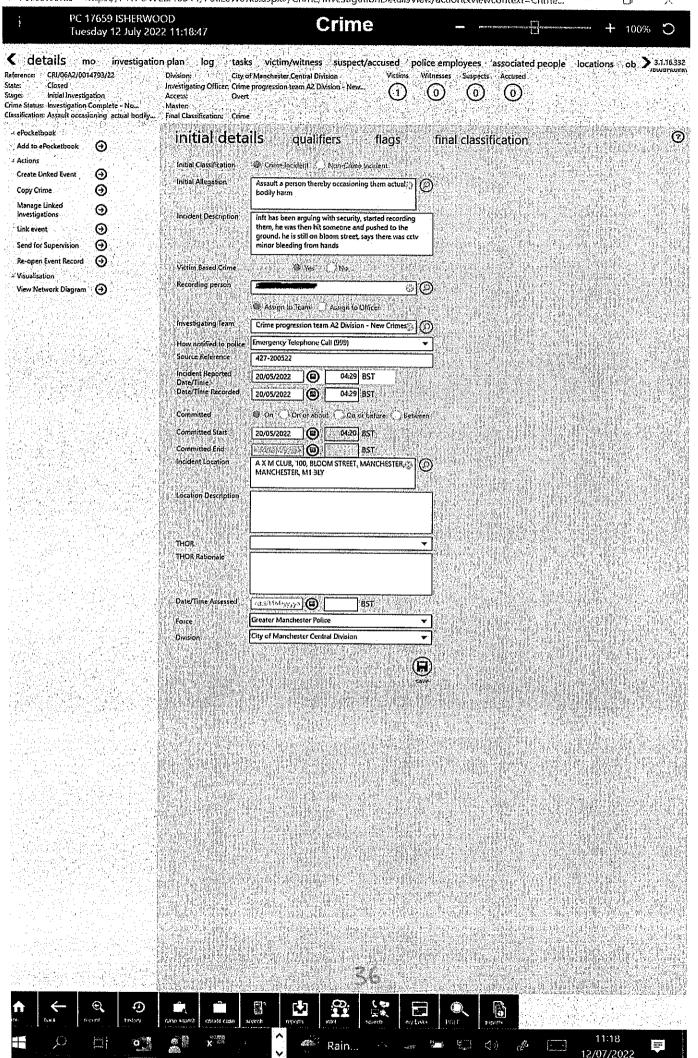


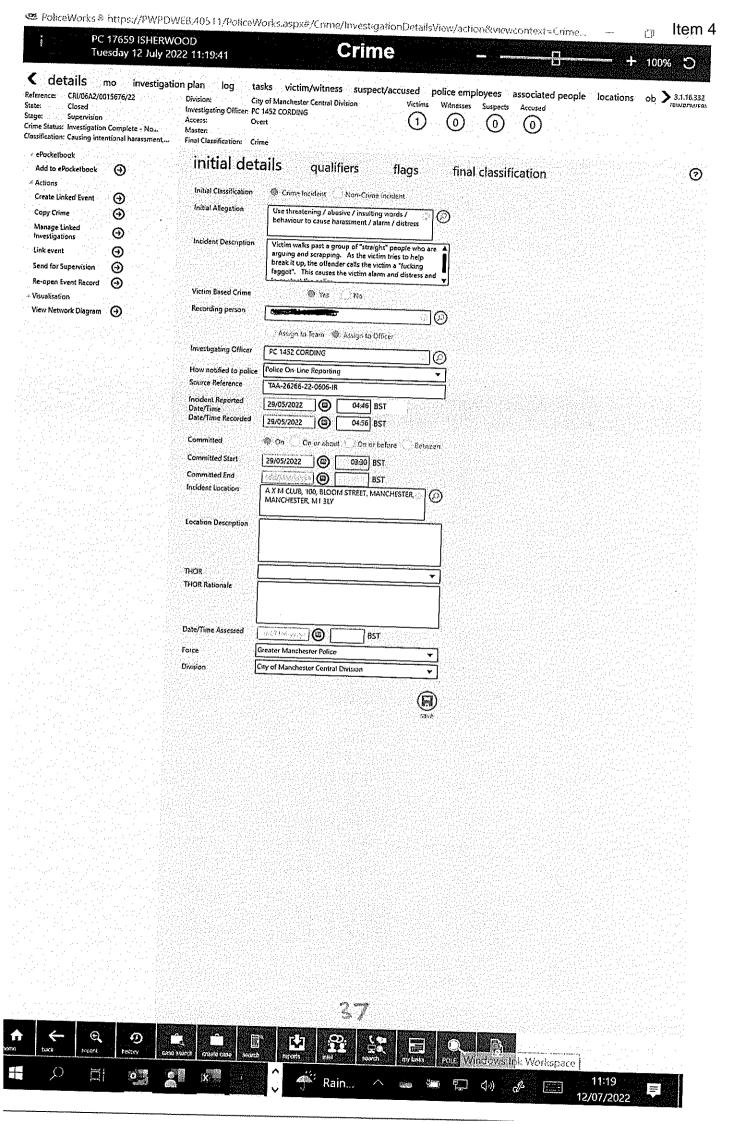


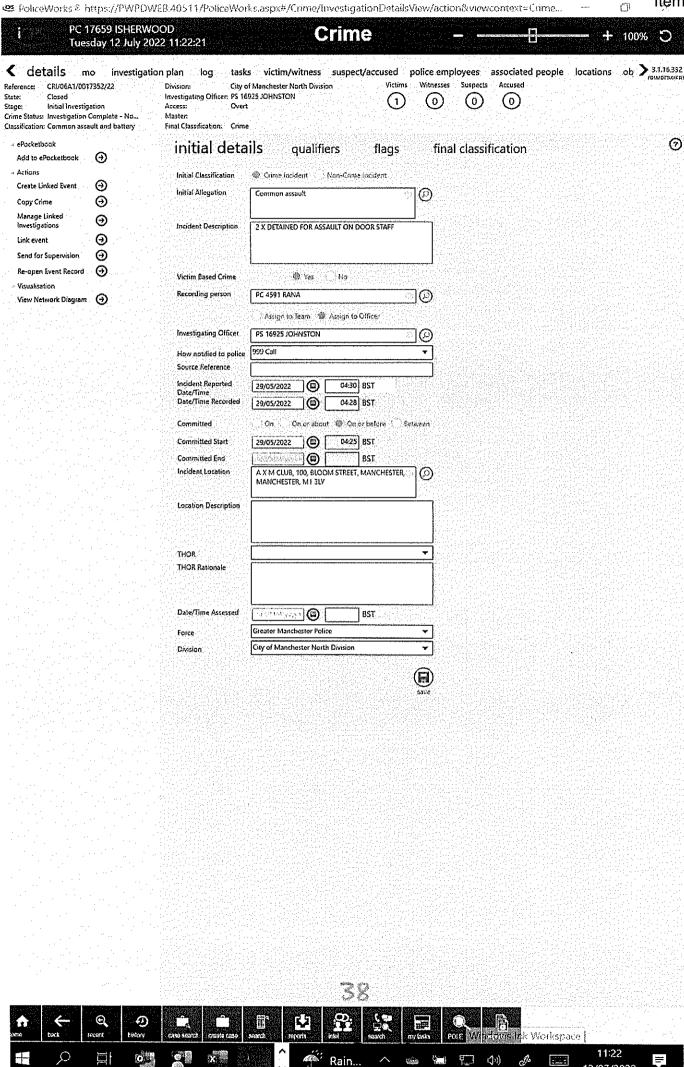








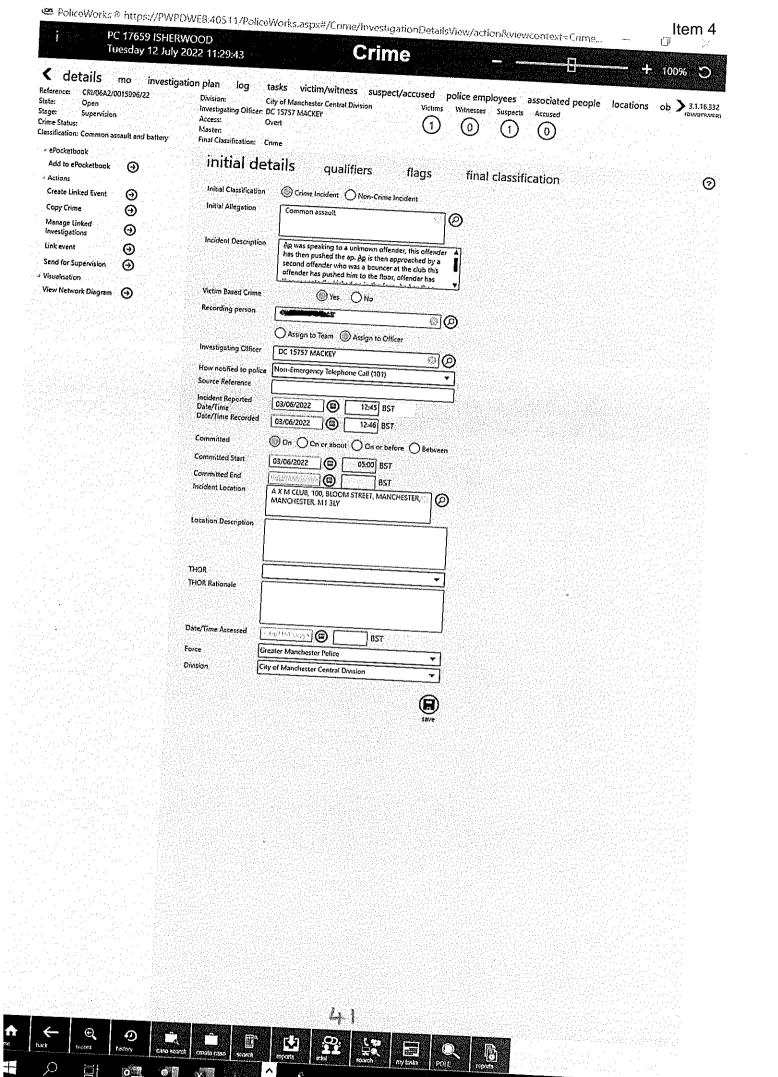




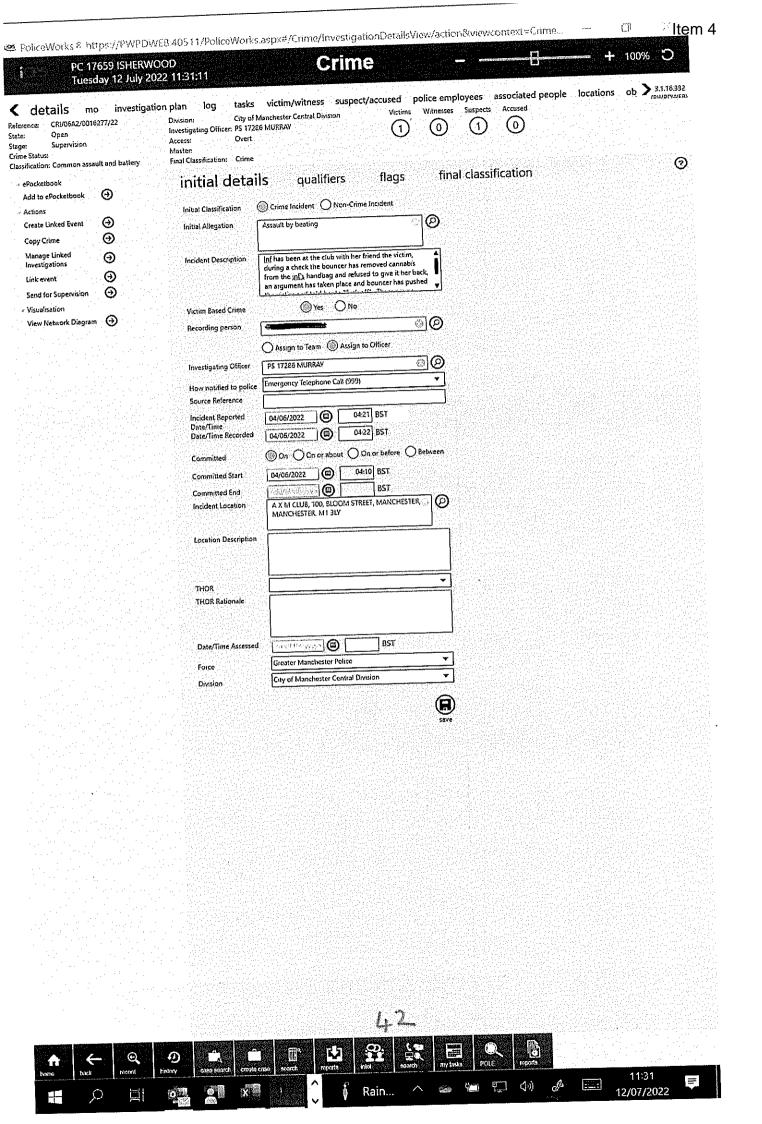
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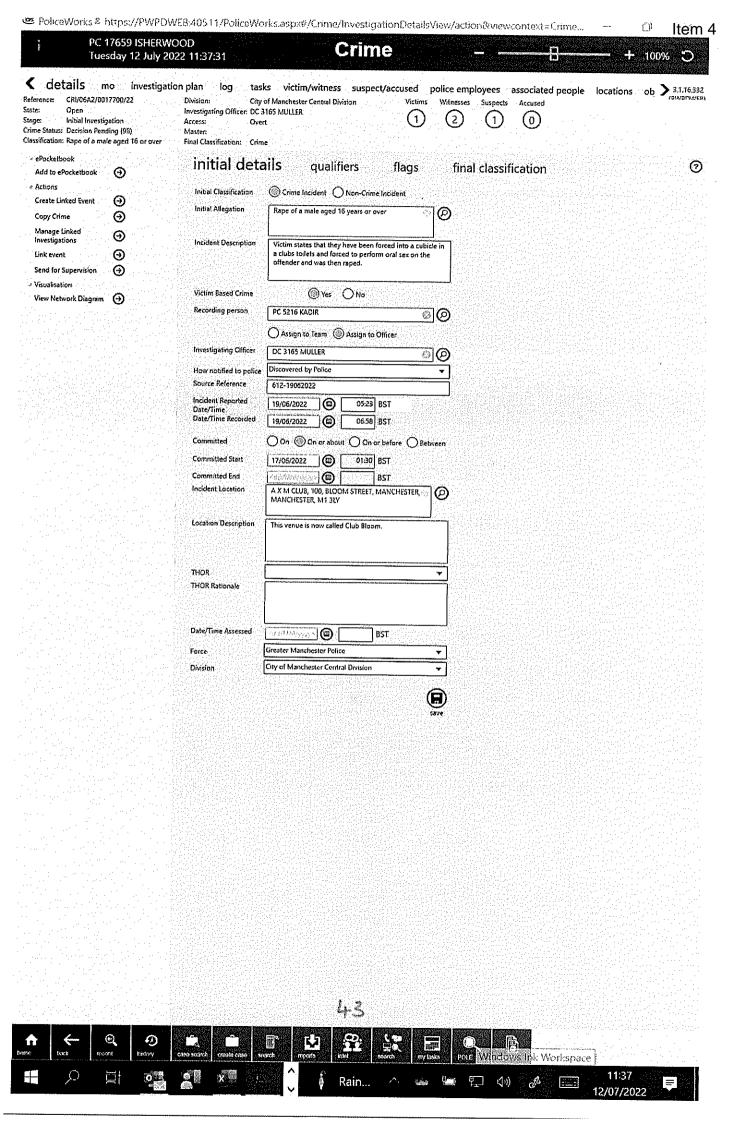
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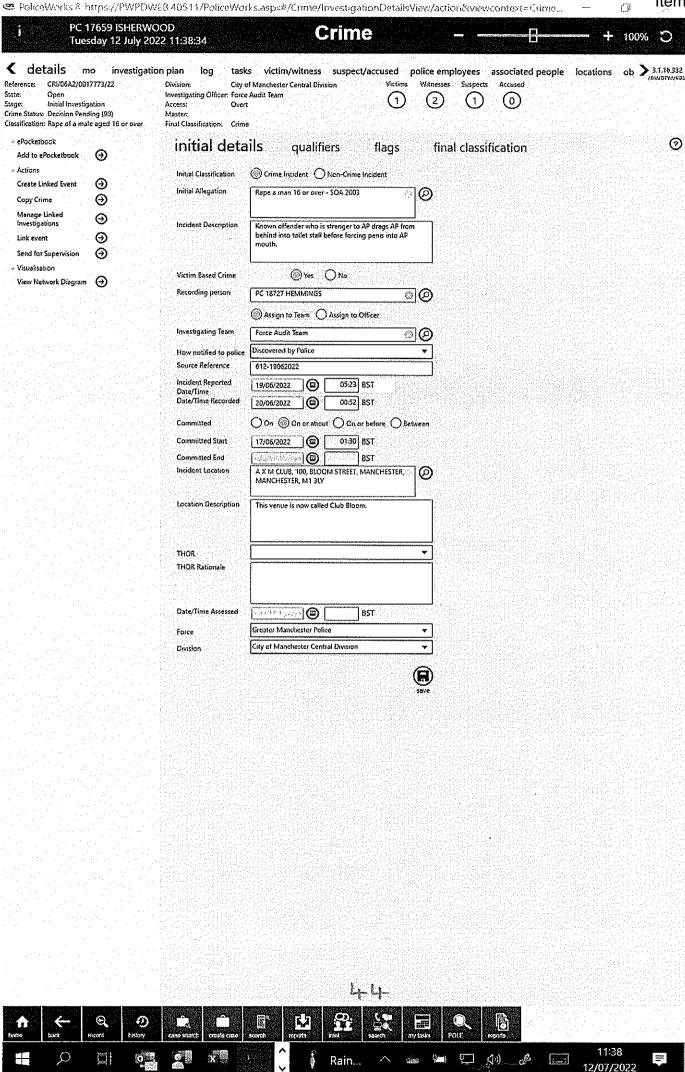
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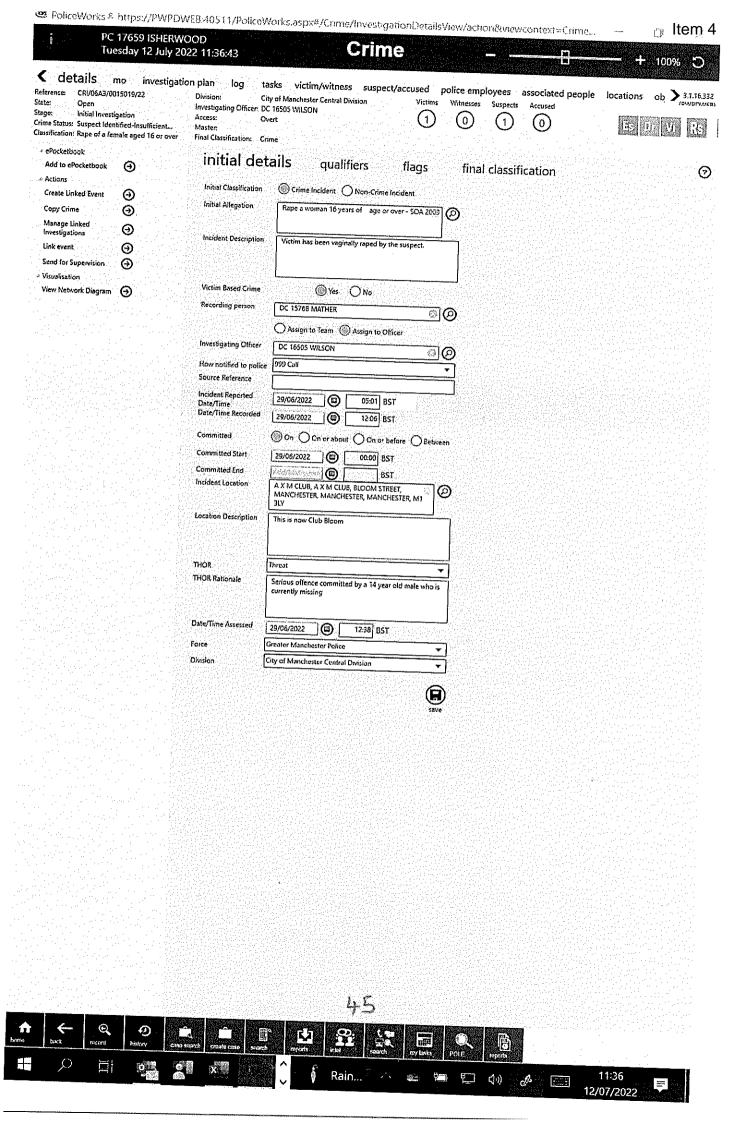


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ANNEX B

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 disorder¹.

Premises2: Club Bloom 100 Bloom St Manchester M1 3LY

Premises licence number (if known): 050906

Name of premises supervisor (if known): Joe Maybury

I am a Superintendent Downey <sup>3</sup> in the Greater Manchester

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because4:

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 nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime has

Greater Manchester Police (GMP) will say that the premises are associated with

<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.

<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.

serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime 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 Bloom Street in the City Centre of Manchester and the premises licence was issued on 31/08/2005. The Premises Licence Holder (PLH) is Lapwine Limited and the Designated Premises Supervisor (DPS) is Joe Maybury.

During the early hours of Wednesday 29<sup>th</sup> June 2022 a 15 year old male has gained entry to Club Bloom. At approximately 0415hrs on Wednesday 29<sup>th</sup> June 2022 an adult female customer and her friends have been approached by the 15 year old male who has offered to sell them drugs. The female customer and the 15 year old male have entered the male toilets together, speaking to a member of security staff who was positioned outside the toilets when they have entered. A friend of the female has stated the member of security staff has said to the 15 year old male, "Have a good one mate" as he has entered the toilets with the female. They have then entered a cubicle together inside the male toilets.

Once inside the cubicle, the 15 year old male has raped the female customer. After approximately 20 minutes the female customer has sent a text message to her friends asking for help. The friends have attended the toilets and have walked the female customer out where she has explained what had happened to her.

The female victim and her friends have explained to staff at Club Bloom what had happened. Security staff have then located the 15 year old male and detained him outside the premises. The victim has originally told staff that she did not want the police contacted and the 15 year old male offender has been allowed to leave the premises by staff.

At approximately 0500hrs the same day, one of the victims friends has contacted Greater Manchester Police to report the incident and officers have attended the premises. A crime report for rape has been recorded and is currently being investigated.

The details of this incident are shocking for a number of reasons. A 15 year old male was permitted entry to a nightclub in the early hours of the morning and the usual age verification seems not to have taken place. A 15 year old male was able to attempt to deal drugs to customers inside the premises. A female customer has been permitted to enter the male toilets with the 15 year old male, seemingly with the approval of security staff. Once a very serious incident was brought to the attention of staff and the offender was detained, staff have not contacted police and then allowed the offender to leave the area without contacting the police meaning the opportunity to apprehend a potentially dangerous offender was missed and the subsequent investigation hindered.

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder.

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 crime.

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 Crime 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 crime will occur and place customers in danger. Greater Manchester Police will say that the licensing objective of the prevention of crime and disorder can only be promoted if the premises licence was suspended 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 in relation to the serious crime at the premises.

(Signed)	(Date)		
***************************************			
			•
Superintendent Christoph	er Downey	29 <sup>th</sup> June 2022	

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 Stuart Hammersley [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:

Club Bloom 100 Bloom St

Post town: Manchester

Post code (if known): M1 3LY

### 2. Premises licence details:

Name of premises licence holder (if known): Lapwine limited

Number of premises licence holder (if known): 050906

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 serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime 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 Bloom Street in the City Centre of Manchester and the premises licence was issued on 31/08/2005. The Premises Licence Holder (PLH) is Lapwine Limited and the Designated Premises Supervisor (DPS) is Joe Maybury.

During the early hours of Wednesday 29th June 2022 a 15 year old male has gained entry to Club Bloom. At approximately 0415hrs on Wednesday 29th June 2022 an adult female customer and her friends have been approached by the 15 year old male who has offered to sell them drugs. The female customer and the 15 year old male have entered the male toilets together, speaking to a member of security staff who was positioned outside the toilets when they have entered. A friend of the female has stated the member of security staff has said to the 15 year old male, "Have a good one mate" as he has entered the toilets with the female. They have then entered a cubicle together inside the male toilets.

Once inside the cubicle, the 15 year old male has raped the female customer. After approximately 20 minutes the female customer has sent a text message to her friends asking for help. The friends have attended the toilets and have walked the female customer out where she has explained what had happened to her.

The female victim and her friends have explained to staff at Club Bloom what had happened. Security staff have then located the 15 year old male and detained him outside the premises. The victim has originally told staff that she did not want the police contacted and the 15 year old male offender has been allowed to leave the premises by staff.

At approximately 0500hrs the same day, one of the victims friends has contacted Greater Manchester Police to report the incident and officers have attended the premises. A crime report for rape has been recorded and is currently being investigated.

The details of this incident are shocking for a number of reasons. A 15 year old male was permitted entry to a nightclub in the early hours of the morning and

the usual age verification seems not to have taken place. A 15 year old male was able to attempt to deal drugs to customers inside the premises. A female customer has been permitted to enter the male toilets with the 15 year old male, seemingly with the approval of security staff. Once a very serious incident was brought to the attention of staff and the offender was detained, staff have not contacted police and then allowed the offender to leave the area without contacting the police meaning the opportunity to apprehend a potentially dangerous offender was missed and the subsequent investigation

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling

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

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 Crime 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 crime will occur and place customers in danger. Greater Manchester Police will say that the licensing objective of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review

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 in relation to the serious crime at the premises.

Signature of applicant: S.Hammersley

Date: 29/06/22

Capacity: Licensing Constable

Contact details for matters concerning this application:

Address: Manchester Town Hall Police Station

**Town Hall Extension** 

Lloyd Street Manchester M2 5DR

Telephone number(s): 0161 856 6017

Email: stuart.hammersley@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 question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory

Powers 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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