



Licensing Sub Committee Hearing Panel

Date: Thursday, 29 December 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.

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw, Connolly and Andrews

Supplementary Agenda

1. **Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.

- 1a. **Urgent Business - Temporary Event Notice - Bar 11, Basement Floor, 65 Bridge Street, Manchester, M3 3BQ** 3 – 50
The report of the Director of Planning, Building Control and Licensing is enclosed.

4. **Summary Review - The Levenshulme, 959 Stockport Road, Manchester, M19 3NP** 51 - 122
The report of the Head of Planning, Building Control and Licensing is enclosed.

Further Information

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

Ian Smith
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This supplementary agenda was issued on **Wednesday, 21 December 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 29 December 2022

Subject: Bar 11, Basement Floor, 65 Bridge Street, Manchester, M3 3BQ - ref: LTN283895

Report of: Director of Planning, Building Control & Licensing

Summary

Submission of a temporary event notice where an objection notice has been given.

Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

Wards Affected: Deansgate

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

A connected city: world class infrastructure and connectivity to drive growth	
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Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
 Position: Principal Licensing Officer
 Telephone: 0161 234 1176
 E-mail: fraser.swift@manchester.gov.uk

Name: Patrick Ware
 Position: Technical Licensing Officer
 Telephone: 0161 234 4858
 E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 15 December 2022, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Bar 11, Basement Floor, 65 Bridge Street, Manchester, M3 3BQ in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Notice

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Ylber Imeri.
- 2.3 The description of the event is Licence extension for Christmas period.
 - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
 - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
 - 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**. Please note: An application to vary the DPS to Ylber Imeri is in consultation until 27/12/2022. The application requested that the variation take immediate effect, so Ylber Imeri is the current DPS.
- 2.4 **Activities unsuitable for children**
 - 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.5 **Further documentation accompanying the application**

3. **Objection Notice(s)**

3.1 An objection notice was received from GMP and from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
GMP	Concerns that the proposed extension beyond the end of the traditional festive period to sell alcohol and play music until 6am for 7 days will cause disturbance to nearby residents.	Serve a counter notice
Licensing and Out of Hours Compliance	Concerns regarding the likely impact in the vicinity of the premises with issues of public nuisance from noise and drunken behaviour from customers leaving the premises when the public will be arriving or passing through the city centre on their daily commute. At a recent inspection a number of breaches of conditions were found including the recording of CCTV images.	Serve a counter notice

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 **New Information**

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 **Hearsay Evidence**

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder

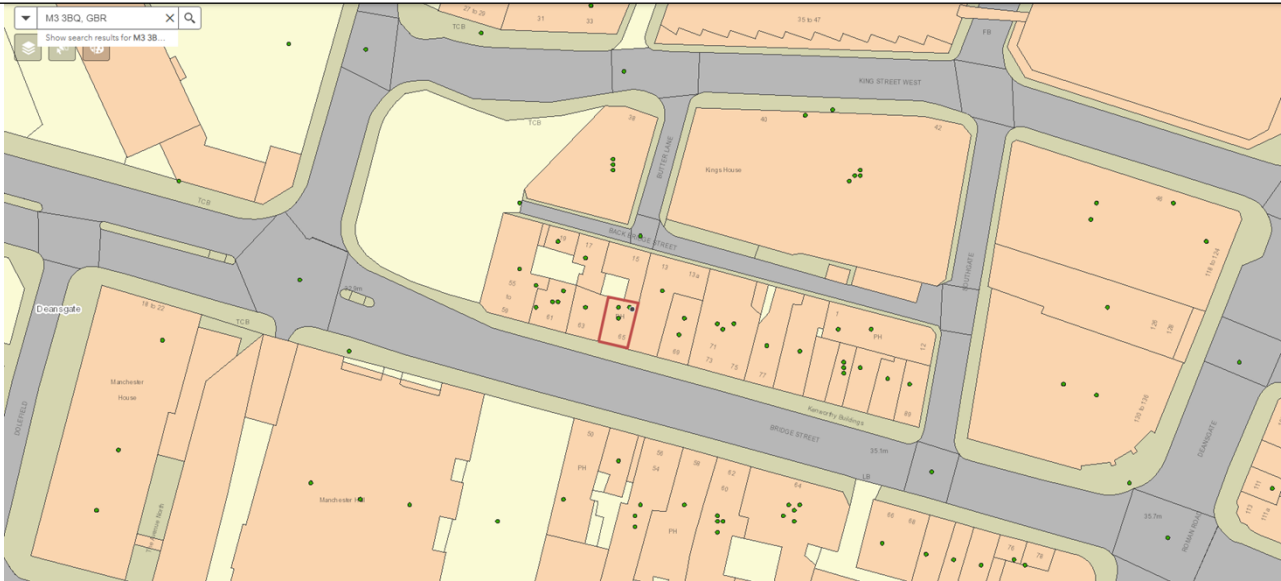
- public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6. The Panel is asked to determine the temporary event notice.**

Bar 11

Basement Floor, 65 Bridge Street, Manchester, M3 3BQ

Premises Licensing
Manchester City Council

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PREMISE NAME:	Bar 11
PREMISE ADDRESS:	Basement Floor, 65 Bridge Street, Manchester, M3 3BQ
WARD:	Deansgate
HEARING DATE:	29/12/2022

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Temporary Event Notice

Payment Transaction number:- SSES00535432 | Form Reference number EF1/662474

Premises User Information

Title

Mr

If other please state

n/a

Surname

IMERI

Forenames

YLBER

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

[REDACTED]

Your place of birth

[REDACTED]

National Insurance Number

[REDACTED]

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

BAR 11
65 BRIDGE STREET
MANCHESTER
M3 3BQ

Premises licence number

281529

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

LICENSED BAR

Please describe the nature of the event

CHRISTMAS PERIOD - LICENCE EXTENSION

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

n/a

The provision of regulated entertainment

Yes

The provision of late night refreshment

n/a

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

31/12/2022 TO 06/01/2023

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

0400 TO 0600

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

100

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

SALFORD

Licence Number

170602

Date of Issue

12/2022

Date of Expiry

N/A

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

1

a) ends 24 hours or less before; orb) begins 24 hours or less after the event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less after the event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Declaration and Payment New

Name

Capacity in which you are making this application

AGENT

Additional information

I understand

Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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GREATER MANCHESTER POLICE



To: Manchester City Council
Licensing Unit
Manchester Town Hall Extension
Lloyd Street
Manchester

To: Mr Ylber Imeri



19th December 2022

Dear Sir

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

PREMISES NAME:	Bar 11
ADDRESS:	65 Bridge Street Manchester M3 3BQ
DATE OF EVENT:	31/12/22 – 06/01/23
TIME OF EVENT:	0400 – 0600 hrs

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of, the Prevention of Public Nuisance.

The application is seeking to allow the premises to remain open selling alcohol and playing music until 6am for 7 days in a row for what is described as the Christmas period.

GMP believe that to allow this extension for 7 consecutive days, when the Christmas and New Year period realistically ends on 3rd January 2023 after the bank holiday, is excessive and is likely to cause a disturbance to nearby residents on St Mary's Parsonage from customers leaving the premises in vehicles and on foot.

These residents will be expecting the late-night Christmas extensions to have

GREATER MANCHESTER POLICE

ended by 3rd January and for them to have to potentially be disturbed at such late hours for 3 further nights would be unfair.

As such we ask that this TEN application is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 19th December 2022 0800 hrs

.....


Licensing & Out of Hours Compliance Team - Representation

Name	Bob Cain
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	b.cain@manchester.gov.uk
Telephone Number	0161 234 1220
Premise Details	
TEN Ref No	283895PW5
Name of Premises	Bar 11
Address	Basement Floor, 65 Bridge Street, Manchester, M3 3BQ
Representation	
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.	
<p>The Licensing & Out Of Hours have assessed the likely impact of this Temporary Event taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk the granting of this Temporary Event Notice could lead to issues of public nuisance.</p> <p>The premises is in basement of terraced property located on Bridge Street. The surrounding area is a mix of residential and commercial properties including, restaurants, licensed premises, and offices</p> <p>The Temporary Event Notice:</p> <p>Event: CHRISTMAS PERIOD - LICENCE EXTENSION Date: 31 December 2022 to 6 January 2023 Times: 0400 TO 0600 To undertake: The sale retail of alcohol and the provision of regulated entertainment.</p> <p>A concern for Licensing Out Of Hours (LOOH) is this Temporary Event is to extend the licensable activities at Bar 11 (a new licence premises) that was only granted a Premises Licence ref 281529 on the 16 November 2022.</p> <p>LOOH team are concerned that to extend the premises operating hours is likely have impact within the vicinity of the premises and is likely to lead to issues of public nuisance with noise and/or drunken behaviour from customers leaving the premises during the same time the public will be arriving or passing through the city centre on their daily commute.</p> <p>On the 19 December 2022 I met with partners of the Premises Licence Holders "Bar 11 Private Ltd" (including the applicant Mr Ylber Imeri) and found several licence conditions not being upheld on the Premises Licence, including but not limited to the CCTV system not recording the required 28 days. The applicant. During my visit the licence holders expressed that they are keen to uphold all conditions enforced under their licence by promising to rectify all the breached conditions.</p> <p>LOOH recommends this TEN is refused in order for Bar 11 Premises Licence holders to demonstrate they fully understand and compliant with all licence conditions enforced under their licence.</p>	
Recommendation: Refuse Application	

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	281529
Granted	16/11/2022
Latest version	DPS variation 283021 granted 04/12/2022

Part 1 - Premises details

Name and address of premises
Bar 11 Basement Floor, 65 Bridge Street, Manchester, M3 3BQ
Telephone number
To be confirmed

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> Live music; Recorded music; Performances of dance. 3. The provision of late night refreshment. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities
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Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0400	0400	0400
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings: None							

Live music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0400	0400	0400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: None							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0430	0430	0430	0430	0430	0430	0430
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: None							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0400	0400	0400	0400	0400	0400	0400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0500	0500	0500	0500	0500	0500	0500
Seasonal variations and Non-standard Timings: None							

Part 2

Details of premises licence holder	
Name:	BAR -11 PRIVATE LTD
Address:	Apartment 1003 City View, Highclere Avenue, Salford, M7 4ZU
Registered number:	14418284

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Christos Kasaras
Address:	[REDACTED]
Personal Licence number:	260556
Issuing Authority:	Manchester City Council

Annex 1 – Mandatory conditions	
Door Supervisors	
1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -	
(a) Unauthorised access or occupation (e.g. through door supervision),	
(b) Outbreaks of disorder, or	

- (c) Damage,
unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
5.
 - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
 - (2) For the purposes of the condition set out in (1) above–
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating schedule

1. A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Images will be retained for a period of at least 28 days and be made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).
2. The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder and/or another named responsible individual.
3. There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.
4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) any crimes reported to the premises;
 - (b) all ejections of patrons
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service
5. The designated premises supervisor shall ensure that a written notice of authority is kept at the premises for all staff who are involved in alcohol sales. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority.
 6. The premises licence holder and / or designated premises supervisor will aim to develop and maintain good working relationships with responsible authorities, in particular with the Police.
 7. A staff training scheme shall be used for all staff authorised to sell alcohol. The training will emphasise the importance of responsible alcohol retailing and compliance with the licence conditions. Refresher training will be provided annually, records will be kept and be made available to responsible authorities.
 8. The premises has a zero tolerance to drugs - staff shall be vigilant, including checking the toilets, with the aim of ensuring that no drugs are being used on the premises.
 9. A first aid kit shall be kept on site and available for use by customers.
 10. The premises licence holder shall comply with other legislative requirements to ensure that the premises are safe for customers and staff.
 11. Deliveries to the premises will be arranged so as not to cause public nuisance.
 12. The disposal of empty bottles/waste will be carried out at times that do not cause any public nuisance.
 13. A prominent, clear and legible notice (or notices) shall be displayed at the exit asking customers to leave the premises quickly and quietly.
 14. The designated premises supervisor or another nominated manager shall be in control of the sound levels of the music / entertainment to ensure that there is no nuisance.
 15. Challenge 25 shall be adopted. Anyone who appears to be under 25 years old who attempts to buy alcohol will be asked to prove their age by producing an acceptable form of photo ID such as a passport, photo driving licence, or PASS accredited proof of age cards.
 16. The premises shall display clear and prominent signage advising customers of Challenge 25.
 17. An alcohol refusals register will be kept and maintained. The register will include details of the date of the refusal, the time, and the reason(s) for refusing the sale. The register will be checked on a regular basis by the DPS and be made available for inspection.
 18. SIA registered doorstaff shall be employed at the premises at a ratio of 1:100 from 2200 hours until close to assist with the orderly dispersal of customers. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the designated premises supervisor.

19. When employed, doorstaff shall wear hi-vis armbands.
20. When doorstaff are employed, the premises licence holder and / or designated premises supervisor shall ensure that the following details for each door supervisor are entered in a register;
 - Full name;
 - SIA Certificate number and/or badge number:
 - The time they began and completed their duty:
 - The full details of any agency through which they have been allocated to work at the premises if appropriate
21. The register shall be kept on the premises and made available at all reasonable times to an authorised officer of the Licensing Authority or the Police. The register shall be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than the previous 12 months.
22. From 10pm each day the NiteNet radio system shall be operated at the premises.
23. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behaviour.
24. There will be no admittance to the premises after 3am. This is with the exception of people leaving and re-entering to smoke.
25. Customers will not be permitted to remove from the premises any alcoholic drinks in open containers, except for consumption in any delineated external area in line with the permitted hours and conditions of either a table and chairs or pavement licence.

Annex 3 – Conditions attached after hearing by the licensing authority
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Not applicable

Annex 4 – Plans

See attached

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 29 December 2022

Subject: The Levenshulme, 959 Stockport Road, Manchester, M19 3NP
(Summary Review of Premises Licence, App ref: 283601)

Report of: Head of Planning, Building Control & Licensing

Summary

Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

That the Panel consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, consider any relevant representations, and review the interim steps already taken.

Wards Affected: Levenshulme

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities

	suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: fraser.swift@manchester.gov.uk

Name: Ashia Maqsood
Position: Technical Licensing Officer
Telephone: 0161 234 4139
E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 05/12/2022, an application was made by Greater Manchester Police under s53A of the Licensing Act 2003 for a Summary Review of the Premises Licence for The Levenshulme, 959 Stockport Road, Manchester, M19 3NP in the Levenshulme ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and a fast track licence review.
- 1.3 A 10 working-day public consultation exercise has been undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application published on the Council's website.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application.
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The application for a summary review was submitted on the grounds that the premises are associated with serious crime and serious disorder
- 2.3 The incident that triggered this summary review is as follows:

On 3 December 2022 at 01.51 a 999 call was made by the DPS to GMP to report that a stabbing had occurred at the premises.

On arrival at the premises GMP officers noted that a male had a wound to his abdomen and there was an allegation made that a male had been assaulted by door staff.

The CCTV footage was viewed by GMP, and it was established that a verbal argument had taken place between the victim and another male, following which the victim threw a drink at the male before punching him in the face.

A male from the premises is then seen to retrieve an object from his trouser waistband and approaches the fight before making a stabbing motion towards the victim's abdomen area.

GMP state the door staff failed to take action to de-escalate the situation and to stop the fighting, and so the altercation continued.

Another male is observed filming the altercation and door staff. One of the door staff suddenly runs over to the male filming, and kicks him in the head before punching him numerous times.

Door staff are observed getting into their vehicle before driving away without having taken any action to intervene except to assault the male who was filming.

GMP are concerned that the man carrying the knife was in possession of the knife / article inside the premises. GMP are also concerned that there was a noticeable failure on the door staff to diffuse or intervene to stop the fighting

2.4 Interim Steps pending the review

- 2.4.1 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.
- 2.4.2 On 07/12/2022, a Licensing Sub-Committee Hearing Panel held a hearing to consider taking such interim steps and the decision of the Panel was to suspend the licence .
- 2.4.3 The decision of the panel is included as **Appendix 3**.
- 2.4.4 The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.
- 2.4.5 At the time of preparing this Committee Report no representations have been received against the interim steps taken by the licensing authority. Please note that representations may be received at any time prior to the date of the review hearing.
- 2.4.6 On the date of the review hearing, the licensing authority is required to review any interim steps that are in place and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 4**.
- 3.2 The premises licence holder is The Craft Union Pub Company Ltd who has held the licence since 16 June 2022

3.3 The designated premises supervisor has held the position since 3 August 2022

3.4 The licensable activities permitted by the licence are:

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	2300	2300	2300	0100	0100	0100	0100
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: None							

Provision of late-night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2330	2330	2330	0100	0100	0100	0100
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year's Eve: Start 2300 Finish 0500							

Hours premises are open to the public							
Standard timings							
Unrestricted							

4. **Relevant Representations**

4.1 Representations may be made by any person or 'responsible authority' during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be relevant to one or more of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.

4.2 No relevant representations have been received in respect of this application

5. **Additional information**

- 5.1 Additional information has been received from GMP attached as **Appendix 5**.
- 5.2 GMP have requested the addition of extra conditions to be added to the licence to address their concerns.
- 5.3 The proposed additional conditions can be found on the schedule of conditions at **Appendix 6**

6. Key Policies and Considerations

6.1 Legal Considerations

- 6.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

6.2 New Information

- 6.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

6.3 Hearsay Evidence

- 6.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

6.4 The Secretary of State's Guidance to the Licensing Act 2003

- 6.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 6.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 6.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

6.5 **Manchester Statement of Licensing Policy**

- 6.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 6.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 6.5.3 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 6.5.4 Relevant to this application, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises and address any local factors relevant to their premises.

Having regard to this application, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

Section 8: Manchester’s standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (eg beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

7. Conclusion

- 7.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 7.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

- 7.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken (if any).
- 7.4 In making its final determination, the steps the Panel can take are:
- a) To modify the conditions of the premises licence
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To remove the designated premises supervisor from the licence;
 - d) To suspend the licence for a period not exceeding 3 months; and
 - e) To revoke the premises licence.
- 7.5 The conditions of the licence, with the exception of mandatory conditions in Appendix 1 of the licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 7.6 All licensing determinations should be considered on the individual merits of the application.
- 7.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 7.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 7.9 **The Panel is asked to determine what steps, as set out in 7.4 above, are appropriate for the promotion of the licensing objectives.**

Review of the interim steps

- 7.10 The Panel's determination of the review does not have effect until the end of the 21 day period given for appealing the decision, or until the disposal of any appeal that is lodged.
- 7.11 To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the final review hearing. This is to be done immediately after the determination of the review under s53C. In reaching its decision, the panel must consider any relevant representations made.
- 7.12 The steps available to the Panel are:
- a) To modify the conditions of the licence;
 - b) To exclude the sale of alcohol by retail from the scope of the licence;

- c) To remove the designated premises supervisor from the licence;
and
- d) To suspend the licence.

7.13 **Upon the determination of the licence review, the Panel is asked to review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.**

The Levenshulme
 959 Stockport Road, Manchester, M19 3NP
 Premises Licensing
 Manchester City Council

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PREMISE NAME:	The Levenshulme
PREMISE ADDRESS:	959 Stockport Road, Manchester, M19 3NP
WARD:	Levenshulme
HEARING DATE:	29/12/2022

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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.

*Premises*²:

The Levenshulme
959 Stockport Road
Manchester
M19 3NP

Premises licence number (if known): 48599

Name of premises supervisor (if known): [REDACTED]

I am a Superintendent ³ 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, 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 extreme violence which has occurred at the premises and the actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and Serous Crime which has taken place at the premises GMP feel that it is

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ 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.

necessary for an expedited review to take place.

The premises are situated on Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

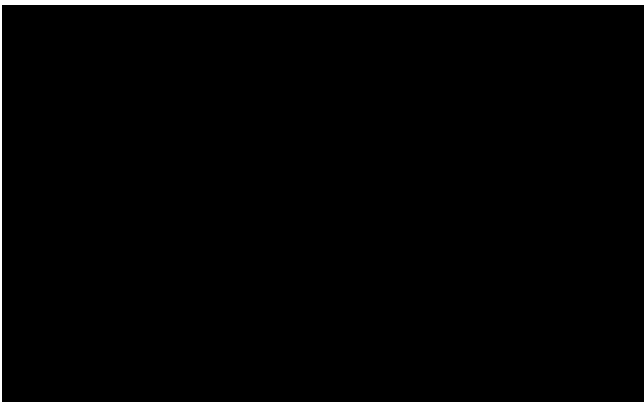
As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

What makes this incident all the more concerning is that the male with the knife, who [REDACTED] at the premises and [REDACTED] was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 and 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 Crime and 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 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime and Serious Disorder has occurred at the premises.



..... 5/12/22.
(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, [REDACTED] [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:

**The Levenshulme
959 Stockport Road**

Post town: Manchester

Post code (if known): **M19 3NP**

2. Premises licence details:

Name of premises licence holder (if known): The Craft Union Pub Company Ltd

Number of premises licence holder (if known): 09429990

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 actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and 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 Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his

belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

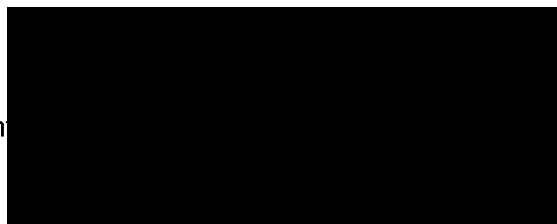
What makes this incident all the more concerning is that the male with the knife, [REDACTED] the premises and [REDACTED] here, was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 and 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 Crime and 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 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime and Serious Disorder has occurred at the premises.

Signature of applicant



Date: 5/12/22

Capacity: Licensing Constable

Contact details for matters concerning this application:

Address:

**Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB**

Telephone number(s):

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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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Licensing Sub -Committee – 7 December 2022

Summary Review (Interim Steps hearing) – The Levenshulme, 959 Stockport Road, Manchester

Applicant – GMP – PC [REDACTED] Isherwood in attendance

PLH – The Craft Union Pub Company Ltd

In attendance: [REDACTED] Director of Licensing, Stonegate Ltd
[REDACTED], Popplestone Allen Solicitors

DPS – [REDACTED] (not in attendance)

The Committee considered the representations made on behalf of GMP and the Premises Licence Holder (PLH) and have taken both the written and oral representations into account.

In reaching its decision the Committee have also considered the Council's statement of Licensing Policy, the Licensing Act 2003, the Guidance issued by the Secretary of state under Section 182 of the Act and the licensing objectives.

Decision:

Suspend the Premises Licence with immediate effect pending the final review hearing on the 20th of December 2022 pursuant to Section 53B (3) and 53B (5) of the Licensing Act 2003.

Reasons:

The Committee was advised that an application had been made by GMP on the 5th of December 2022 for a summary review of the above premises.

The Application arose following reports of a serious incident occurring at the premises.

On the 3rd of December 2022 at 01.51 a call was made by the DPS to GMP to report that a stabbing had occurred at the premises.

On arrival at the premises GMP officers noted that a male had a wound to his abdomen and there was an allegation made that he had been assaulted by the door staff.

The CCTV footage was viewed by GMP, and it was evident that a verbal argument had taken place between the victim and another male, following which the victim threw a drink at the male before punching him in the face.

The Door staff failed to take action to stop the fighting and the altercation continued. Another male is observed filming the altercation when one of the door staff suddenly runs over to the male and kicks him in the head before punching him numerous times.

A male from the premises is then seen to retrieve an object from his trouser waistband and approaches the fight before making a stabbing motion towards the victim's abdomen area. The fighting continues and the male with the knife loiters in the area before assisting the victim to collect his belongings off the floor.

GMP advise the Committee that the door staff are observed getting into their vehicle before driving away without having taken any action to intervene except to assault the male outside his car.

As a result of the incident GMP advised that a man had been arrested for a s18 wounding offence and that a victim impact statement had been received from the DPS, explaining her concerns and fears of reprisals about reopening the premises.

GMP expressed concerns that the man carrying the knife or other article appeared to be a regular customer at the premises and was in possession of the knife / article inside the premises.

It also pointed out that the behaviour of the door staff was not of the standard expected in that a largely unprovoked attack was carried out on a friend of the victim and there was a noticeable failure on the door staff to diffuse or intervene to stop the fighting.

The Committee viewed the CCTV footage of the incident and was satisfied that GMP had accurately described the sequence of events that took place on the 3rd of December 2022.

The PLH's representatives explained that the premises was one of 34 pubs that they owned in Manchester alone and explained that they prided themselves on employing and training staff, including door staff who could work in a way that upheld the licensing objectives.

They accepted that on this occasion something went badly wrong but asked the committee to consider that the premises had previously been well managed and that this was a one-off incident.

It accepted that the actions of the door staff were unacceptable and explained that appropriate action would be taken to address the matter to ensure that there would be no repeat of an incident of this nature.

It was explained to the committee that they had voluntarily decided to shut the premises and would be willing to work closely with GMP to improve the situation.

They indicated that they would be looking to use the services of a new door supervisor company and requested the Committee not to suspend its licence.

On the evening in question, the Premises stated that there was a large traveller community in the pub and that they had decided to close the bar earlier than normal fearing there may be trouble.

A group of individuals inside the pub were reluctant to leave and asked if they could take their drinks outside. The DPS refused but said that they could take their drinks outside but only in polycarbonate glasses.

It was alleged that the person who carried out the stabbing had indicated to the victim that it was one of the door staff who had carried out the act and that this had inflamed the individuals with the resultant effect that windows were subsequently smashed at the premises.

The Committee agreed with GMP's concerns about both the inaction on the part of the door staff to intervene and the assault which took place on the male outside his vehicle. These were not the actions expected of SIA registered door staff employed to deal with crime and disorder issues.

It noted that a serious offence had been committed, one which was currently the subject of a criminal investigation and was extremely concerned to hear how the incident had affected the DPS advising GMP that they were now reluctant to open the premises for fear of reprisals.

Furthermore, the Committee was concerned that the attack that had been carried out by a [REDACTED] identified [REDACTED] and that this person had the knife or other article on their person inside the premises.

The Committee agreed that it was necessary and proportionate, for the promotion of the licensing objectives, to suspend the Premises Licence pending a full review being heard before the Committee.

For the purposes of Section 53B(5)(b) of the Licensing Act 2003 immediate notice of the Committee's decision was given orally to GMP and the PLH.

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	048599
Granted	17/08/2005
Latest version	Transfer 275656 Granted 16/06/2022 DPS Variation 277800 Granted 03/08/2022

Part 1 - Premises details

Name and address of premises
The Levenshulme 959 Stockport Road, Manchester, M19 3NP
Telephone number
0161 256 2255

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: Recorded music; 3. The provision of late-night refreshment. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	2300	2300	2300	0100	0100	0100	0100
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
None							

Provision of late-night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2330	2330	2330	0100	0100	0100	0100
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year's Eve: Start 2300 Finish 0500							

Hours premises are open to the public
Standard timings
Unrestricted

Part 2

Details of premises licence holder	
Name:	The Craft Union Pub Company Ltd
Address:	3 Monkspath Hall Road, Shirley, Solihull, West Midlands, B90 4SJ
Registered number:	09429990

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	[REDACTED]
Address:	[REDACTED]
Personal Licence number:	[REDACTED]
Issuing Authority:	Tameside Metropolitan Borough Council

Annex 1 – Mandatory conditions
<p>Door Supervisors</p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <p>(a) Unauthorised access or occupation (e.g. through door supervision),</p> <p>(b) Outbreaks of disorder, or</p> <p>(c) Damage,</p> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p>Supply of alcohol</p> <p>2. No supply of alcohol may be made under this premises licence:</p> <p>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</p> <p>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</p> <p>3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.</p>

4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating schedule

None

Annex 3 – Conditions attached after hearing by the licensing authority

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that give rise to nuisance.
2. All Staff shall be trained in recognising the signs of drunkenness and how to refuse service.
3. 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, photocard driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.
4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log.
5. 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.
6. Notices shall be prominently displayed near all exits from the premises asking patrons to leave quietly with consideration for neighbours.
7. Management and staff shall use their best endeavour to move people on, who are congregating outside the premises during hours of operation and after closing hours.
8. The applicant had also stated they were willing to make their number available to local residents should there be any issues or concerns

Annex 4 – Plans

See attached

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IN THE MANCHESTER CITY TOWN HALL

BETWEEN:

THE CHIEF CONSTABLE
OF GREATER
MANCHESTER POLICE

APPLICANT

AND

THE LEVENSHULME

RESPONDENT

INDEX TO BUNDLE
OF DOCUMENTS

<u>No</u> <u>Applicant's Evidence</u>	<u>DOCUMENT</u>	<u>PAGE No</u>
1	Witness statement of PC [REDACTED] dated 19/12/2022	1-3
2	Summary Review Certificate signed by Superintendent Jones	4-7
3	Summary Review Request signed by PC Isherwood	8-11

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Page 1 of 4

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of: [REDACTED]

Age if under 18: 18+ (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false,

Signature: [REDACTED]

Date: 19/12/22

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

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.

The Levenshulme

The premises are situated on Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd, who took over the licence in June 2022 and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since July 2022.

Incidents

Greater Manchester Police have had a look back over the past 12 months at incidents which have occurred at the premises and there are 4 incidents which are as follows:

At 2128 hours on Sunday 28th August 2022 a male was asked to leave the premises due to his behaviour and after leaving the premises he retrieved a hammer from his car and threatened to smash the pub windows. He eventually left the area causing no damage. A crime for a Public Order offence was submitted but the offender was never traced.

At 2345 hours on Friday 7th October 2022 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 and the offender was arrested and charged. A crime for Common Assault was later submitted.

At 1854 hours on Monday 31st October 2022 a group of customers were asked to leave the premises by staff after becoming rowdy and anti-social. Once outside the premises there has been a disturbance and another customer was punched by one the group causing no visible injuries. The victim did not wish to pursue the matter and offender was not identified. Crimes for Common assault and a Public Order offence were later submitted.

Signature: [REDACTED] Signature witnessed by: (1)

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MG11

Page 2 of 4

Finally there is the incident which resulted in these review proceedings being instigated;

At 0151 hours on Saturday 3rd December 2022 GMP received a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed. On police arrival a male victim located and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff. On reviewing the CCTV it transpires that the victim begins a verbal argument with another male. This escalates and the victim throws a drink at the male before punching him to the face a number of times. As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times as he slumps against a taxi.

A male wearing a tan coloured jacket and a cap, who has been identified [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his belongings off the floor and as he bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This object wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The disturbance then continues and windows at the premises are smashed prior to GMP arriving at the premises.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding. As a result of this violent incident several crimes have been submitted, including assault crimes, criminal damage and Violent Disorder.

Enquiries into this incident and subsequent crimes are ongoing and will likely take some time to finalise. The CCTV footage will be played at this hearing.

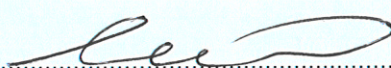

Interim Steps Hearing

On Monday 5th December 2022 I applied for a Summary Review of the Premises Licence on the grounds that the Premises were associated with Serious Crime and Serious Disorder. The certificate was signed by Superintendent Jones.

The Interim Steps hearing took place on Wednesday 7th December 2022 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 Thursday 29th December 2022.

Conclusion

Since the Interim Steps hearing meetings have taken place between responsible authorities and the PLH and their legal representative and these meeting have proved to be constructive and encouraging, It was discussed that this is the only incident involving the use of a knife at the premises and it was also acknowledged that the Premises licence itself could be strengthened by way of further conditions to lessen the likelihood of such an incident occurring at the premises in the future.

Signature:  Signature witnessed by: 

2006/07 (1)

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GMP fully appreciate that the committee will make their decision based on what they believe are the most proportionate and necessary steps to ensure that the 4 licensing objectives are upheld and that incidents of this kind do not happen in the future.

With that in mind GMP would respectfully suggest that the addition of extra conditions to the Premises Licence would address our own concerns and would be a proportionate outcome to these review proceedings but respect whatever decision is made.

Should committee be minded to to attach extra conditions to the Premises Licence as the final decision then GMP would ask they the following conditions are considered:

1. The premises licence holder must ensure that:

- CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
- The system records clear images permitting the identification of individuals
- The CCTV system is 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 operates 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 is fitted with security functions to prevent recordings being tampered with, i.e. password protected
- There must be at least one member 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).

2. On Fridays and Saturdays and any Sunday preceding a Bank Holiday a minimum of 2 SIA registered doorstaff shall be employed at the premises from 2100 hours until the premises are closed and all the customers have left. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS/PLH. When employed doorstaff shall wear hi-vis armbands.

3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.

4. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior.

5. The premises will introduce and operate a search policy which is to be agreed with Greater Manchester Police. This search policy will include the use of knife wands when deemed appropriate.

6. Regular toilet checks shall be made to ensure the area is not being used for criminal activities.

7. Door staff shall sign on sign on and off duty in a book kept for that purpose including their full name and SIA badge number. All entries shall be checked and signed by the DPS or their nominated deputy.

8. Persons shall not be permitted to enter or leave the premises if in possession of any form of open bottle or glassware

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 disorder¹.

*Premises*²:

The Levenshulme
959 Stockport Road
Manchester
M19 3NP

Premises licence number (if known): 48599

Name of premises supervisor (if known): [REDACTED]

I am a Superintendent ³ 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, 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 extreme violence which has occurred at the premises and the actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and Serous Crime which has taken place at the premises GMP feel that it is

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ 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.

necessary for an expedited review to take place.

The premises are situated on Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

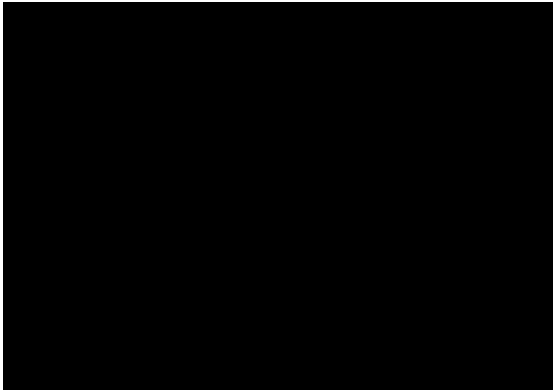
As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

What makes this incident all the more concerning is that the male with the knife, who [REDACTED] here, was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 and 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 Crime and 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 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime and Serious Disorder has occurred at the premises.



5/12/22.

(Date)

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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 [REDACTED] [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:

**The Levenshulme
959 Stockport Road**

Post town: Manchester

Post code (if known): **M19 3NP**

2. Premises licence details:

Name of premises licence holder (if known): The Craft Union Pub Company Ltd

Number of premises licence holder (if known): 09429990

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 actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and 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 Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the window cleaner from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his

belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

What makes this incident all the more concerning is that the male with the knife [REDACTED] here, was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 and 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 Crime and 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 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime and Serious Disorder has occurred at the premises.

Signature of applica

[REDACTED]

Date: 5/12/22

Capacity: Licensing Constable

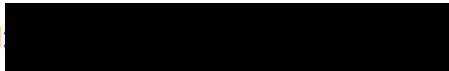
Contact details for matters concerning this application:

Address:

**Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB**

Telephone number(s): 0161 856 6017

Email



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.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Schedule of Licence Conditions

Conditions proposed by GMP

1. The premises licence holder must ensure that:
 - CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
 - The system records clear images permitting the identification of individuals
 - The CCTV system is 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 operates 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 is fitted with security functions to prevent recordings being tampered with, i.e. password protected
 - There must be at least one member 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).
2. On Fridays and Saturdays and any Sunday preceding a Bank Holiday a minimum of 2 SIA registered door staff shall be employed at the premises from 2100 hours until the premises are closed and all the customers have left. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS/PLH. When employed door staff shall wear hi-vis armbands.
3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
4. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behaviour.
5. The premises will introduce and operate a search policy which is to be agreed with Greater Manchester Police. This search policy will include the use of knife wands when deemed appropriate
6. Regular toilet checks shall be made to ensure the area is not being used for criminal activities.
7. Door staff shall sign on and off duty in a book kept for that purpose including their full name and SIA badge number. All entries shall be checked and signed by the DPS or their nominated deputy.
8. Persons shall not be permitted to enter or leave the premises if in possession of any form of open bottle or glassware.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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