



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 18 March 2024

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 entrances of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Andrews, T Judge and Reid

## Supplementary Agenda

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4. **Summary Review of a Premises Licence - Bar 8, Unit 1, Castle Quay, Chester Road, Manchester, M15 4NJ** 5 - 32  
Now contains additional information as submitted by Greater Manchester Police.

## Further Information

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

Callum Jones  
Tel: 0161 234 4940  
Email: [callum.jones@manchester.gov.uk](mailto:callum.jones@manchester.gov.uk)

This supplementary agenda was issued on **Wednesday, 13 March 2024** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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IN THE MANCHESTER CITY TOWN HALL

BETWEEN:

THE CHIEF CONSTABLE  
OF GREATER  
MANCHESTER POLICE

APPLICANT

AND

Bar 8

RESPONDENT

INDEX TO BUNDLE  
OF DOCUMENTS

<u>No Applicant's Evidence</u>	<u>DOCUMENT</u>	<u>PAGE No</u>
1	Witness statement of PC Alan Isherwood dated 06/03/24	1-2
2	Copy of Bailiff's Enforcement Notice dated 19/01/24	3-4
3	Summary Review Certificate signed by Superintendent Williams	5-8
4	Summary Review Request signed by PC Isherwood	9-12



**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: **Alan Isherwood**

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

This statement (consisting of 2 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, or do not believe to be true.

Signature: ..... [Redacted]

Date: 6/3/24

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.

**Bar 8**

The premises are situated on Castle Quay in the Castlefield area of Manchester, and the premises licence was issued in 2005. The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is [Redacted] who has held these positions since October 2019.

[Redacted] is also the PLH and DPS at the [Redacted] and on Tuesday 13<sup>th</sup> February 2024 a warrant was executed at the premises by Greater Manchester Police.

**Warrant**

On Tuesday 13<sup>th</sup> February 2024 a warrant was executed at the [Redacted] by Greater Manchester Police (GMP) and due to what GMP discovered during the execution of the warrant [Redacted] and another person were arrested on suspicion [Redacted]

The premises was immediately closed under the Anti-Social Behaviour and Policing Act due to the premises being used as the location of the offences.

This closure was later extended by the courts to 3 months.

[Redacted] was interviewed under caution and then released with [Redacted] and one of which is as follows:

[Redacted]

Signature: ..... [Redacted] Signature witnessed by: ..... (1)

As a result of the arrest and bail conditions I applied for a Summary Review of the premises licence and the certificate was signed by Superintendent Williams and the Interim Steps hearing was set for Thursday 22<sup>nd</sup> February 2024.

**Bailiff Enforcement Notice**

In the days between applying for the Summary Review the premises was visited and attached to the doors of the premises was a bailiff's enforcement notice which was dated 19<sup>th</sup> January 2024 and was addressed to [REDACTED] and another person. The notice stated that the landlord and/or bailiff had re-entered the premises on that day and as a consequence of the re-entry the lease is forfeited and that no one can lawfully enter the premises unless they have been given authorisation by the landlord.

Therefore, [REDACTED] is no longer allowed to lawfully enter the premises and as such cannot operate Bar 8 from there so the premises licence cannot be used.

**Interim Steps Hearing**

On Thursday 22<sup>nd</sup> February the Interim Steps hearing took place at Manchester Town Hall and I outlined GMP's concerns to the committee and asked them to suspend the premises licence pending the full review hearing. The committee considered what had been said and after deliberation the premises licence was suspended, pending the full hearing on Monday 18<sup>th</sup> March 2024.

**Conclusion**

The [REDACTED] is subject to is to remain in force until 14<sup>th</sup> May 2024, therefore, the fact that [REDACTED] is the PLH and DPS at Bar 8 means that it is not possible for [REDACTED] to continue in these positions as [REDACTED] would be in direct breach of [REDACTED]. Also allowing the premises to continue to operate as a licensed premises could result in similar offences occurring there.

This coupled with the fact that [REDACTED] has ben evicted as a tenant of the premises means that it is no longer possible for [REDACTED] to operate from that address or for [REDACTED] to trade on the premises licence.

As such, GMP see no other option available to committee other than to revoke the licence forthwith.

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

2



[Redacted]

# Take Notice

[Redacted] And [Redacted], Lessee

Address: Unit 1 Middle Warehouse, Castle Quay, Chester Road Manchester  
M17 4NT

and

Landlord: [Redacted] .....

TAKE NOTICE that the Landlord and/or Bailiff has today re-entered 19.01.2024] in accordance with the Landlord's power under the Lease or Licence. As a consequence of the re-entry, the Lease is forfeited and the premises have been secured.

AND TAKE NOTICE that no one can lawfully enter the premises unless they have been given authorisation by the Landlord.

Any attempt to enter the premises without the Landlord's authority may be a criminal offence and result in a prosecution.

If you have any enquiries about the premises, please contact: [Redacted]

Dated this 19th day of ..... January .....2024.....

Signed [Redacted] Bailiff  
For and on behalf of [Redacted]  
[Redacted]

3



**ANNEX B**

Greater Manchester Police  
Central Park  
Northampton Road  
Manchester

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

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

*Premises*<sup>2</sup>:

Bar 8  
Unit 1, Castle Quay  
Chester Road  
Manchester  
M15 4NJ

Premises licence number (if known): 051768

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

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

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the offence which the Premises Licence Holder/Designated Premises Supervisor is currently [REDACTED] which requires immediate resolution.

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<sup>1</sup> Delete as applicable.

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

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

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

Greater Manchester Police (GMP) will say that the Premises Licence Holder/Designated Premises Supervisor is associated with serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) 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. Therefore due to the serious crime which the Premises Licence Holder/designated Premises Supervisor is [REDACTED] GMP feel that it is necessary for an expedited review to take place.

The premises are situated in Castle Quay in the Castlefield area of Manchester and the premises licence was issued on 01/11/2005. The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is [REDACTED] who has held these positions since October 2019.

On Tuesday 13<sup>th</sup> February 2024 a warrant was executed at the [REDACTED]

As a result of this warrant the premises was closed under the Anti Social Behaviour Crime and Policing Act due [REDACTED]

[REDACTED] was of [REDACTED] and was subsequently given [REDACTED] One of these [REDACTED] is as follows:

[REDACTED]

This [REDACTED] therefore, the fact that [REDACTED] is the [REDACTED] at Bar 8 means it is not possible for [REDACTED] to continue in these positions as [REDACTED] Also allowing the premises to continue to operate as a licensed premises could result in similar offences occurring there.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the PLH has to serious crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. The [REDACTED] 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 crime will occur at this premises. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application. The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take and the consequences of allowing the premises to continue to be licensed.



(Signed)

(Date)

20.02.24

Nicola Williams  
Superintendent

10-1-11

10-1-11

## ANNEX C

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Manchester City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

**1. Premises details:**

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

**Bar 8  
Castle Quay**

Post town: Manchester

Post code (if known): **M15 4NJ**

**2. Premises licence details:**

Name of premises licence holder (if known): XXXXXXXXXX

Number of premises licence holder (if known):

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

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

(Please tick the box to confirm)

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

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the offence which the

which requires immediate resolution.

Greater Manchester Police (GMP) will say that the is associated with serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) 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. Therefore due to the serious crime which the GMP feel that it is necessary for an expedited review to take place.

The premises are situated in Castle Quay in the Castlefield area of Manchester and the premises licence was issued on 01/11/2005. The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is who has held these positions since October 2019.

As a result of this warrant the premises was closed under the Anti Social Behaviour Crime and Policing Act due to the

and was subsequently

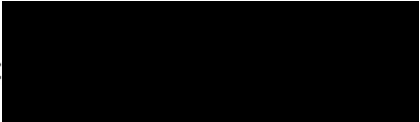
Also allowing the premises to continue to operate as a licensed premises could result in similar offences occurring there.

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

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. The PLH/DPS is for a directly affecting 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 crime will occur at this premises. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application. The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take and the consequences of allowing the premises to continue to be licensed.

Signature of applicant: 

Date: 20/2/24

Capacity: Licensing Constable

**Contact details for matters concerning this application:**

Address:

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

Telephone number(s): 0161 856 6017

Email: alan.isherwood@gmp.police.uk

Notes for guidance:

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