



Licensing Sub Committee Hearing Panel

Date: Friday, 1 July 2022

Time: 10.30 am

Venue: Virtual: <https://manchester-gov-uk.zoom.us/j/84955306229>

Everyone is welcome to attend this committee meeting.

Access to the virtual meeting

The public can view the meeting using the link above

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Flanagan and Riasat

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Summary Review of Premises Licence - Bloom, 100 Bloom Street, Manchester, M1 3LY

5 - 40

The report of the Head of Planning, Building Control and Licensing is enclosed.

Information about the Committee

The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

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This agenda was issued on **Wednesday, 29 June 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 1 July 2022

Subject: Bloom, 100 Bloom Street, Manchester, M1 3LY - (App ref: LPU276694)

Report of: Head of Planning, Building Control & Licensing

Summary

Interim Steps hearing for Summary Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

The Sub-Committee must take such of the steps under section 53(B) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To modify the conditions of the licence;
2. To exclude any of the licensable activities from the licence;
3. To remove the designated premises supervisor;
4. To suspend the licence

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the conditions of the premises licence can include altering or modifying existing conditions or adding any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, no action should be taken in respect of the licence.

Wards Affected: Piccadilly

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: f.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 2018

- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 29 June 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 Bloom, 100 Bloom Street, Manchester, M1 3LY in the Piccadilly 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 for the review of the licence to be fast tracked.
- 1.3 A 10 working-day public consultation exercise is 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 to be 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 An application for the summary review of premises licence number 50906 under section 53A of the Licensing Act 2003 was submitted by Greater Manchester Police on 29 June 2022. The grounds of the application for review are that in the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.
- 2.3 Interim Steps pending the review
- 2.3.1 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.
- 2.3.2 The premises licence holder may make representations against the interim steps taken by the licensing authority. Also under s53B, the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.
- 2.3.3 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 3**.
- 3.2 The premises licence holder is Lapwine Ltd and has held the licence since 21/08/2017.
- 3.3 The designated premises supervisor is Joe Lewis Maybury who has held this position since 27/01/2018.
- 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	0400	0400	0400	0400	0600	0600	0400
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings: <u>New Year</u> : From the start time on New Year's Eve to the terminal hour for New Year's Day							

Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance 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	0600	0600	0400
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	0230	0230	0230	0230	0230	0230	0230
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: <u>New Year's Eve</u> : Start 2300 Finish 0500 <u>Sundays preceding Bank Holiday Mondays (excluding Easter Sunday)</u> : Start 2300 Finish 0500							

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	0430	0430	0430	0430	0630	0630	0430

Seasonal variations and Non-standard Timings:
None

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 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.

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 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.
- 4.5.4 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

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
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS11 Ensure the wellbeing of children on the premises

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 reaching the decision, regard must be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives.
- 5.4 In making its decision with regard to this interim steps hearing, the steps the Panel can take are:
- a) To modify the conditions of the licence;
 - b) To exclude any of the licensable activities from the licence;
 - c) To remove the designated premises supervisor;
 - d) To suspend the licence
- 5.5 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.
- 5.6 All licensing determinations should be considered on the individual merits of the application.
- 5.7 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.

- 5.8 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.
- 5.9 **The Panel is asked to determine what steps, as set out in 5.4 above, are appropriate for the promotion of the licensing objectives.**

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Bloom
100 Bloom Street, Manchester, M1 3LY

Premises Licensing
Manchester City Council

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PREMISE NAME:	Bloom
PREMISE ADDRESS:	100 Bloom Street, Manchester, M1 3LY
WARD:	Piccadilly
HEARING DATE:	1 st July 2022

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:
Club Bloom
100 Bloom St
Manchester
M1 3LY

Premises licence number (if known): 050906

Name of premises supervisor (if known): Joe Maybury

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

Greater Manchester Police (GMP) will say that the premises are associated with serious crime. Serious crime is defined within the statutory guidance as per

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.

section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Bloom Street in the City Centre of Manchester and the premises licence was issued on 31/08/2005. The Premises Licence Holder (PLH) is Lapwine Limited and the Designated Premises Supervisor (DPS) is Joe Maybury.

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

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

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

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

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

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

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

serious crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further crime will occur and place customers in danger. Greater Manchester Police will say that the licensing objective of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application. The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the serious crime at the premises.

Superintendent Christopher Downey

29th June 2022

.....
(Signed)

.....
(Date)

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Manchester City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

1. Premises details:

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

**Club Bloom
100 Bloom St**

Post town: Manchester

Post code (if known): **M1 3LY**

2. Premises licence details:

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

Number of premises licence holder (if known): 050906

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

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

(Please tick the box to confirm)

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

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime has occurred at the premises.

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

The premises are situated on Bloom Street in the City Centre of Manchester and the premises licence was issued on 31/08/2005. The Premises Licence Holder (PLH) is Lapwine Limited and the Designated Premises Supervisor (DPS) is Joe Maybury.

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

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

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

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

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

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

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

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

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further crime will occur and place customers in danger. Greater Manchester Police will say that the licensing objective of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the serious crime at the premises.

Signature of applicant: S.Hammersley
Date: 29/06/22
Capacity: Licensing Constable

Contact details for matters concerning this application:
Address: Manchester Town Hall Police Station
Town Hall Extension
Lloyd Street
Manchester
M2 5DB

Telephone number(s): 0161 856 6017

Email: stuart.hammersley@gmp.police.uk

Notes for guidance:

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

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

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

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

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

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	050906
Granted	31/08/2005
Latest version	Variation 212295 (granted 26/05/2018)

Part 1 - Premises details

Name and address of premises
Bloom 100 Bloom Street, Manchester, M1 3LY
Telephone number
0161 228 7474

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; Anything similar to live music, recorded music or the performance of dance. 3. The provision of late night refreshment. <p style="margin-left: 40px;"> Permitted Occupancy: Ground Floor 330 persons First Floor 250 persons </p> <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	0500	0500	0500	0500	0600	0600	0500
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	0500	0500	0500	0500	0600	0600	0500
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	0230	0230	0230	0230	0230	0230	0230
Licensed to take place both indoors and outdoors. All off-sale/takeaway Late Night Refreshment purchases shall take place from the basement area only.							
Seasonal variations and Non-standard Timings: New Year's Eve: Start 2300 Finish 0500 Sundays preceding Bank Holiday Mondays (excluding Easter Sunday): Start 2300 Finish 0500							

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	0530	0530	0530	0530	0630	0630	0530
Seasonal variations and Non-standard Timings: None							

Part 2

Details of premises licence holder	
Name:	Lapwine Limited
Address:	Clarence House, 7 Hood Street, Greenock, Scotland, PA15 1YH
Registered number:	SC164204

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Joe Lewis Maybury
Address:	[REDACTED]
Personal Licence number:	PA067085
Issuing Authority:	Trafford Metropolitan Borough 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) “valued 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

Not applicable

Annex 3 – Conditions attached after hearing by the licensing authority

1. CCTV must be in operation at any time a person is in the premises.
2. All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition.
3. CCTV will be kept in an unedited format for a minimum period of 28 days.
4. CCTV will be maintained on a regular basis and kept in good working order at all times.
5. CCTV maintenance records to be kept with details of contractor used and work carried out to be

recorded.

6. Where CCTV is recorded on to a hard drive system any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player.
7. Where CCTV is recorded on to a hard drive system, the hard drive system must have a minimum of 28 day roll over recording period.
8. Where CCTV is recorded on to VHS cassette tapes there will be a minimum of 28 days-worth of VHS cassettes. These must be indexed and used on a roll over basis.
9. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
10. Plans indicating the position of CCTV cameras to be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.
11. Where the recording is on a removable medium (ie videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
12. Clubscan/IDSCAN or similar system installed with a TV monitor at the entrance capturing persons entering and leaving.
13. SIA registered doorstaff to be employed from a company with ACS accreditation
14. A written record shall be kept on the premises by the Licence Holder of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:
 - (a) the door supervisor's name, date of birth and home address;
 - (b) his/her Security Industry Authority licence number;
 - (c) the time and date he/she starts and finishes duty;
 - (d) the time of any breaks taken whilst on duty;
 - (e) each entry shall be signed by the door supervisor.
15. That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
16. When employed all doorstaff will wear Hi-Vis jackets both internally and externally.
17. When the premises are being used for externally promoted events then the City Partnership/ Licensing and Events offices at Bootle Street Police Station must be notified at least 28 days prior to the event taking place in order that a risk assessment be carried out by the premises in relation to any such event.
18. The Challenge 25 policy will be implemented in full and appropriate identification will be sought from any person who appears under the age of 25. The only acceptable forms of identification will be passport, photo driving licence and those carrying the PASS logo.
19. Staff training will include the Challenge 25 policy and its operation. In particular staff will be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training will be given to a new member of staff before they commence paid employment and all staff will be retrained quarterly. Training also to include drugs, conflict management and drunkenness.
20. All training will be documented.
21. All drinks to be decanted into Polycarbonate/Plastic drinking vessels at point of sale
22. The Nitenet radio link shall be implemented, maintained and used
23. Documented dispersal, smoking and search/drugs policies to be implemented in agreement with Greater Manchester Police and lodged with all responsible authorities within 14 days of licence being varied.
24. An incident book shall be implemented and open to inspection by any authorized officer of GMP or

Manchester City Council.

25. There shall be provided at the premises door supervisors who are registered with the Security Industry Authority to such a number, as the management of the premises consider sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity
26. Start times of the Security team on a Friday and Saturday night will ensure that the main entrance will be staffed and both the ground and first floor (when open) have dedicated SIA registered security staff on duty conducting roving patrols. The Hart Street entrance to also be monitored by SIA door staff.
27. Staff Members (with proof of ID) from premises within the Village shall be granted 'automatic' membership and be allowed entrance up to 30 minutes prior to close.
28. A member of staff must attend at least 6 meetings of the Manchester Pub and Club watch annually.
29. The DPS will meet regularly with all security staff and discuss recent incidents that have occurred inside the premises. Discussion to include 'Hot Spots' and peak times for disorder to ensure staff fully aware of issues.
30. The premises licence holder shall take active steps to ensure that illegal drugs or weapons are not taken into the premises including a random search policy of patrons entering the premises. Patrons who refuse to be searched prior to entry will not be permitted entry to the premises.
31. A notice will be displayed in clear and prominent position at the entrance to the premises advising patrons they will be refused entry to the premises if they refuse to be searched.
32. Any person found to be using illegal drugs within the premises will be removed from the premises and the police must be notified.
33. Persons who appear to have consumed excessive alcohol will not be permitted entry to the premises.
34. Notices will be displayed regarding security of personal items (i.e. mobile phones, handbags) making customers more security conscious.
35. Identifiable patrol/floorwalkers to be on duty to deter theft of items/property
36. The management and staff shall make regular checks to ensure the toilets are well maintained.
37. All staff shall be provided with adequate and suitable training to make them aware of the problems associated with and how to reduce the risks of the spiking of drinks.
38. The management and staff shall ensure that the occupancy limit is not exceeded at any time.
39. Regular written risk assessments shall be carried out regarding all the regulated activities which take place in the premises.
40. A written evacuation procedure, which includes emergency exit from the premises by disabled customers, shall be implemented at the premises and all staff shall be fully briefed in the procedure.
41. No person in the possession of drink in a sealed or unsealed container shall be allowed to enter the premises except for the purpose of delivery.
42. No drink shall be removed from the premises in an unsealed container.
43. All external windows and doors are to be kept closed after 2300, except for emergency (fire doors) and access/egress (non-fire doors).
44. No external speakers shall be operated from the premises.
45. No glassware to be disposed of after 2300, and no refuse collections made before 0700.
46. Notices shall be prominently displayed near all exits from the premises asking patrons to leave quietly with consideration for local residents.
47. Door supervisors shall be required to supervise the area immediately outside the premises to encourage patrons to be quiet and reduce any noise and anti-social behaviour including the Hart Street Entrance.
48. A tamper proof noise limiting device shall be fitted to the sound system within the premises, all music played at the premises must pass through this sound limiter.

49. All patrons leaving the premises must do so by the Hart Street entrance.
50. The smoking area to be situated on Hart street and to be agreed with Greater Manchester Police and Environmental Health.
51. No person under the age of 18 shall be permitted entry to or allowed to remain on the premises after 2000 each day.
52. On Friday and Saturday the last condition of entry shall be 0430.
53. A minimum of 2 SIA trained door supervisors shall be present at the premises from whenever the premises is open to the public to 30 minutes after close of business on Sunday to Thursdays.
54. A minimum of 6 SIA trained door supervisors shall be premises at the premises from whenever the premises is open to the public to 30 minutes after close of business on Fridays and Saturdays.

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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