



**Licensing & Out of Hours Compliance Team - Representation**

Name	Andrew Richardson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
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Telephone Number	0161 234 1527

<b>Premise Details</b>	
Application Ref No	243595
Name of Premises	Indigo
Address	457-459 Wilmslow Road, Manchester, M20 4AN

<b>Representation</b>
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 and Out of Hours Team (LOOH) are writing to support the application to review the premises licence by Greater Manchester Police (GMP). We have concerns about the premises licence holder's ability to uphold the licensing objectives, namely the prevention of public nuisance.</p> <p>Indigo is located in a basement, in a thriving community in the Withington ward with a mixture of young professionals, students and long term residents. It's situated in the middle of a row of a commercial premises which includes other licensed premises. There are residential properties within approximately 50 metres from the premises. It's also in a special policy area, known locally as the Withington stress area.</p> <p>The venue is open until 02:30am seven days a week, making it the latest premises open in the area. Many students and local residents use the venue, after the other premises in the area have closed. Every week they have different nights, which are promoted through skiddle website. These events support local DJ's and Mc's and are normally ticket only.</p> <p>Over the last 12 Month's we've received complaints, in regards to Fly Posting and noise nuisance coming from the premises, these complaints have been relayed back to the licence holder and has been working with us.</p> <p><b>27.3.19</b> <i>Flyposting all over Fallowfield and Withington. An event at Indigo presented by Mirror Dance.</i></p> <p><b>2.4.19 at 01.15 am</b> Officers carried out proactive monitoring of the premises and immediate area (Checking LNRs in the area) early hours at 1.15am, officers could hear the noise break out from the club every time the entrance door opened. Although officers did not receive a complaint the bass music was deemed to be very loud and audible at street level. Also patrons outside smoking and talking loudly.</p>

**29.10.19 at 22.23 hours**

Heavy Bass could be felt reverberating around the shop above. Whilst the level was not deemed to be statutory nuisance, the shop keeper advised that it happens regularly.

**26.11.19 at 01:00 am**

On site bass and music breakout louder further away from complainants, funnelled down streets opposite premises. It wasn't a stat nuisance level. Advice from the visits sent to DPS.

In light of the recent incident that has happened in this premises, this has given the LOOHT an opportunity to review the premises licence conditions for the prevention of public nuisance to tighten them up in order that we can prevent anymore further complaints.

Recommendation: Approve with Conditions

**AGREEMENT**

From: **Andrew Richardson (Licensing and Out of Hours)** <[a.richardson1@manchester.gov.uk](mailto:a.richardson1@manchester.gov.uk)>

Date: Wed, 12 Feb 2020, 17:07

Subject: Re: Indigo - Proposed Conditions (HIN63/1)

To: [REDACTED]

Cc: [Alan.lsherwood@gmp.police.uk](mailto:Alan.lsherwood@gmp.police.uk) <[Alan.lsherwood@gmp.police.uk](mailto:Alan.lsherwood@gmp.police.uk)>

Hi [REDACTED]

That's great, Thanks for that.

I'm now satisfied, we have the right conditions to enhance their current licence and LOOHT representation will be submitted today.

Thank you for your cooperation

Kind Regards

Andy  
Andrew Richardson  
Compliance Officer

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[REDACTED] >  
Date: Wed, 12 Feb 2020, 16:25

Subject: RE: Indigo - Proposed Conditions (HIN63/1)

To: Andrew Richardson (Licensing and Out of Hours)

<[a.richardson1@manchester.gov.uk](mailto:a.richardson1@manchester.gov.uk)>

Cc: [Alan.lsherwood@gmp.police.uk](mailto:Alan.lsherwood@gmp.police.uk) <[Alan.lsherwood@gmp.police.uk](mailto:Alan.lsherwood@gmp.police.uk)>

Hi Andy,

Thanks for this, and sorry, yes, smoking policy as per your suggestions attached.

Kind regards,

[Redacted]

[Redacted]

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: [Redacted] | Dept: +44 (0)161 838 7888 | Fax: +44 (0)161 838 8109

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**From:** Andrew Richardson (Licensing and Out of Hours) **Sent:** 12 February 2020 16:24

**To:** [Redacted] >

**Cc:** [Alan.Isherwood@gmp.police.uk](mailto:Alan.Isherwood@gmp.police.uk)

**Subject:** Re: Indigo - Proposed Conditions (HIN63/1)

Hi [Redacted]

This looks sufficient from my side. Will you be using the smoking policy I attached?

Regards

Andrew Richardson  
Compliance Officer  
Licensing and Out of Hours Compliance Team  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate  
Manchester City Council

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[Redacted]

Date: Wed, 12 Feb 2020, 16:00

Subject: Indigo - Proposed Conditions (HIN63/1)

To: [Alan.Isherwood@gmp.police.uk](mailto:Alan.Isherwood@gmp.police.uk) <[Alan.Isherwood@gmp.police.uk](mailto:Alan.Isherwood@gmp.police.uk)>, [a.richardson1@manchester.gov.uk](mailto:a.richardson1@manchester.gov.uk) <[a.richardson1@manchester.gov.uk](mailto:a.richardson1@manchester.gov.uk)>

Hi both,

Hope you are well.

Thanks very much for your time on Friday, and for the very constructive discussion.

As promised, I now attach a proposed set of conditions based upon the conversations we had.

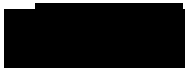
**Indigo, Withington – Proposed Conditions**

1. A minimum of 1 SIA registered door supervisors shall be employed at the premises from 22:00 until close Sunday – Thursday. A minimum of 2 SIA registered door supervisors shall be employed at the premises from 22:00 until close Friday – Saturday. At all other times, SIA registered door supervisors shall be employed at the premises in accordance with a risk assessment to be carried out by the DPS. *\*Condition 5 of Annex 2 is to be removed and replaced with this condition*
2. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - a. The number of door staff on duty;
  - b. The identity of each member of door staff;
  - c. The times the door staff are on duty.
3. When employed, all members of SIA registered door supervisors shall be equipped with body-cams and shall wear high visibility jackets.
4. All customers entering (or re-entering) the premises shall be subject to a search by an SIA registered door supervisor, including the use of a metal detection wand. Any customer who refuses to consent to such search shall be refused entry to the premises. *\*Condition 7 of Annex 2 is to be removed and replaced with this condition*
5. There shall be no entry or re-entry to the premises (save for returning smokers) after 01:00 daily.
6. The premises licence holder or DPS shall be a member of the local Pubwatch/Pub & Club Network (at all times that one is ongoing) and they, or a nominated member of staff, shall attend at all meetings.
7. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, that advertises or promotes the establishment, its premises, or any of its events.
8. The premises licence holder shall retain details of all promoters operating events at the premises. These records are to be retained for a minimum period of 12 months and provided to officers of responsible authorities on request.
9. A smoking policy shall be implemented and adhered to (see attached).
10. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.

Should you have any comments or queries, please do not hesitate to contact me.

I look forward to hearing from you.

Kind regards,



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From: **Andrew Richardson (Licensing and Out of Hours)** <[a.richardson1@manchester.gov.uk](mailto:a.richardson1@manchester.gov.uk)>  
Date: Fri, 7 Feb 2020, 13:08  
Subject: Re: Meeting regarding Indigo Review (HIN63/1)  
To: [REDACTED]

Hi [REDACTED]

It was nice to meet you today.

With regards to the proposed conditions, I would like a few conditions to be added, to help ease the public nuisance. These conditions are proportionate to the complaints we've had in the past 12 months.

- Licence Holder to retain details of all promoters using the premises for each night. Records to be retained and available to the authorised officers of the Licensing Authority upon request
- No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, that advertises or promotes the establishment, its premises, or any of its events.
- Premises licence holder and Designated Premises Supervisor to implement a smoking policy as detailed below:
  1. The outside area shall be monitored by staff or door staff regularly at all times it is in use to ensure patrons do not cause a public nuisance.
  2. Any outside area used by customers wishing to smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
  3. Signs will be displayed in the area requesting customers keep noise to a minimum.
  4. Open containers of alcohol shall not be permitted to be taken outside the smoking area.
  5. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.

As per conversation with Chris, with regards to noise emanating from the premises. Could you and Chris, come up with a condition that fits.

Let me know what you think.

Kind regards

Andy

**Ward Members**

From: Councillor Chris Wills [REDACTED]

Date: Thu, 13 Feb 2020 at 09:17

Subject: Re: Application for the Summary Review of a Premises Licence: LPU243595/AM2, Indigo, 457-459 Wilmslow Road, Manchester, M20 4AN (Withington ward)

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Cc: [REDACTED], Councillor Gavin White  
<[REDACTED]>

Dear Ashia

I am emailing regarding the above, on behalf of myself and Councillor Becky Chambers. I understand the review has been requested by Greater Manchester Police, following a violent incident that occurred on the premises in the early hours of 30 January 2020. I fully support GMP and share their concerns.

The incident involved a serious assault that led to two people being hospitalised with knife injuries around the face and neck.

There have been three other very concerning incidents over the last two years:

On 16 February 2018, there was an altercation inside Indigo. The offender left the bar and went to the nearby car park. They returned with a firearm but were prevented from entering Indigo to continue the altercation. They left, but returned with two other people a few minutes later.

On 7 April 2018, a Section 5 Public Order offence occurred when a man approached customers inside Indigo in an aggressive manner, causing them alarm and distressed.

On 13 January 2020, there was a break-in through the back entrance of Indigo, resulting in the theft of two safes.

It is clear that there are major concerns with security at Indigo, and consequently for the safety of both customers and the wider public.

On reviewing the existing licence (attached for reference), I note the following:

Under Point 1 of Annex 1, it states that "security activities, which include guarding against: - (a) Unauthorised access or occupation (e.g. through door supervision), (b) Outbreaks of disorder, or (c) Damage".

Under Point 7 of Annex 2, it states that "Where it is considered necessary, the management shall implement a search policy to prevent drugs or offensive weapons being brought onto the premises."

Under Point 9 of Annex 2, it states that "Vigilance shall be encouraged among staff to supervise customers in all parts of the premises."

In relation to the above, it is clear that the premises has failed on all of these conditions. Violent individuals carrying offensive weapons have been able to gain entry to Indigo. Furthermore, there has clearly been a lack of supervision of customers, with reference in particular to the incident of aggression that occurred on 7 April 2018. There are also questions to be raised, in light of the break-in on 13 January 2020, about general security arrangements at Indigo, and the impact and implications of this for other businesses. By these measures, Indigo does not meet the licensing

objectives of preventing crime and disorder, preventing public nuisance, or public safety. I would add that it is clearly not a safe place for people to bring their children.

I would strongly urge that the owners of Indigo commit to improved security measures at the venue. This should include proper training for all staff, and more rigorous vetting.

Indeed, I would propose that Indigo becomes one of the first venues in Manchester to see the implementation of "Martyn's Law". This principles of this proposed law are being introduced by the Council, following a campaign by Figen Murray. Figen is the mother of Martyn Hett, one of the victims of the 2017 Manchester Arena attack. "Martyn's Law" also has the backing of the Government. It would mean introducing airport-style security checks at the venue. This would help provide reassurance to those concerned that Indigo is taking recent events seriously, and that it wishes to guard against further incidents like those described above.

Should there be no improvements either made or attempted, then I would regrettably have to support GMP in any call for the licence to be withdrawn. While, as a local Councillor, I have always championed local independent businesses, I also cannot tolerate incidents such as the ones above. Businesses must act responsibly, and with the safety of their customers and the local community at the forefront. Failure to do so cannot be ignored.

Many thanks and kind regards.

Chris

## Residents Association 1

On Tue, 11 Feb 2020 at 19:39, Fallowfield Community Guardians <[REDACTED]> wrote:

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians and we wish to make a representation regarding the review of licence which has been requested by GMP.

Residents have read in the Manchester Evening News the accounts of two stabbings at the premises in the early hours of Thursday January 30th 2020.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/nightspot-could-lose-licence-after-17664328>

From accounts in the news, it appears these were serious stabbings in the neck and face which occurred inside the premises. It also appears from the news report that this was gang related and was in response to a memorial to a man who was murdered.

### **Crime & Disorder**

Residents are really concerned to learn that stabbings occurred inside a nightclub as this means that security at the nightclub was not sufficient.

We are also concerned about gang trouble as there are known gangs linked to this area which often have defined boundaries. Community Guardians regularly report signature gang tag graffiti which appears repeatedly all over this area. We are aware of many drug related issues in the area, evident from the drug dealings that we commonly see on streets outside licensed premises and the prolific handing out of drug cards which happens at the start of every University academic year.

These are serious concerns which do not uphold the licensing objective for the prevention of crime and disorder.

### **Public Safety**

As we understand it, the club is in a basement and has a capacity of 150 (ref skiddle.com). It must have been terrifying for patrons attending the club who would have been in very close proximity because it is not a large venue. We would question how easily and quickly patrons could get out of a basement especially after consuming alcohol. One article reports that those stabbed were students <https://mancunion.com/2020/02/07/indigo-closed-after-stabbing-by-member-of-south-manchester-gang-awating-student-comment/>

### **Public Nuisance**

Residents have made several complaints to licensing and out of hours and planning officers about noise outbreak and noise from groups on the pavement outside Indigo club. We have particularly noticed this in the last couple of years since Indigo re-opened. Events at the club, which seem geared to attract students, are held on many nights of the working week as well as weekends. We are also concerned that licensed hours of operation do not match planning hours which exist to protect residents. Residents suffer from night noise as patrons (mainly students) make their way to and from the premises. It is difficult for those who live in the area to specify where those who wake us up at night have come from. It could be any of the clubs in the area. Those that are open in the early hours and have club style events all contribute to this loss of sleep for residents. We get woken up by street noise on a very regular basis and sometimes this can be several times a night. We consider that Indigo being open until 2am contributes to the noise at night on our streets. There are families with babies and young children, working people and elderly living in this area. Withington



has a special Licensing Stress Policy and Fallowfield a Cumulative Impact Policy because of the many problems that occur due to the concentration of licensed premises in this suburb.

We have also noted that some of the titles of club nights have drug related references which suggests to us that they appeal to those who like to have a trippy night out.eg Clean Cut & Friends (Indigo 27th Feb), Bangers & Mashed (Indigo 28th Feb). We are concerned about the rise in the use of drugs by people in our area as it causes additional problems that affect us including drug packets on the streets, dealers handing out drug cards, deliveries of drugs to flats and HMOs in this area, dangerous driving, drug drivers. We see drug related activities on a regular basis in this area, because of the high density of students that reside here. Students in Manchester are a target for dealers. Club nights where there is consumption of alcohol and possible drug use contributes to public nuisance.

Flyposting relating to Indigo club has been reported by Community Guardians on many occasions to the council. Flyposters for the event 'Footshooter' on Wednesday Jan 29th in which the stabbings occurred were reported to the council by residents as they were stuck to bus shelters in many locations along Wilmslow Road. Indigo flyposters are a source of public nuisance and cost the council a lot of money in dealing with removal and prosecution.

### **Summary**

Our concerns about the recent stabbings do lead us to conclude that the licensing objectives are not being upheld. We consider that this premises is in the middle of a residential area and also part of a conservation area. The attraction of criminal activity gives us serious concern for the wellbeing of persons attending this venue. As it is in a basement without disabled access, it can only be assumed that in the event of a serious incident, the health and safety of patrons is severely compromised. We would wish to recommend that the licence be revoked as the venue does not seem safe as a venue and also unable to uphold the licensing objectives in relation to crime and disorder, public nuisance and public safety.

Yours



Community Guardian Coordinator

Fallowfield & Withington

## Residents Association 2

on Wed, 12 Feb 2020 at 15:33, [REDACTED] > wrote:

Dear Sir/Madam,

Re: Licence Review: LPU243595/AM2, Indigo, 457-459 Wilmslow Road, Manchester M20 4AN (Withington Ward)

I am writing on behalf of South East Fallowfield Residents' Group (SEFRG) and we would like to make a representation regarding the licence review at the above premises.

We are very concerned to read about the severity of the attacks which took place in this club in Withington Village on 30th January 2020. It is shocking for residents to read in the Manchester Evening News (dated 31st Jan) that GMP reported 'lots of local members of organised crime groups had been in attendance'. The club is situated right in the centre of the village and surrounded by residential houses - it is also very close to shops, pubs, the library and schools.

Residents in the local area regularly report signature gang tag graffiti and we think there is also a strong link with the drug dealing which goes on very openly in the area and which is often targeted at younger residents (including teenagers) and particularly aimed at the large, often quite vulnerable, student population - many of whom frequent this club.

We are worried that if this club continues, it will carry on attracting these organised crime groups and the violence and drug dealing will possibly spread even further into community than it currently does. It is particularly concerning that in spite of the club's security measures, weapons capable of inflicting such large slash wounds (one of the wounds was 8in x 2in) could have been brought in. We understand from the MEN article that the club was hosting a memorial service for a man who had been murdered. It was obviously an emotionally charged event and so we would have thought that on a night like that, in particular, the club would have been especially vigilant.

If the club owners did carry out thorough checks that night (and that may well have been the case) then it shows that it is quite impossible for them to prevent such a serious occurrence and the licence should therefore be revoked. If they did not carry out thorough checks then we question whether they are suitable licence holders for a venue of this nature. In both cases it is not to say that they could not carry out another (non licensable) business at this premises but not a club of this nature. We do not believe that the owners/managers of this club, however good their intentions are, could take any practicable measures which could stop the risk of this type of event happening in the future. Indeed a similar attack in the future may escalate into something even more serious and possibly result in fatalities.

Withington has a Special Licensing Stress Policy and is immediately adjacent to Fallowfield which has a Cumulative Impact Policy - these policy decisions were not taken lightly and were based on sound evidence which shows that the areas are of particular concern. We therefore think it is of the utmost importance that the licensing objectives are rigorously upheld. We believe this venue fails on each of the licensing objectives; crime and disorder, public safety, public nuisance and the protection of children from harm.

We urge the panel to revoke the licence.

Yours sincerely,

[REDACTED]  
(On behalf of SEFRG - South East Fallowfield Residents' Group)

**Residents Association 3**

On Wed, 12 Feb 2020 at 16:04, [REDACTED] wrote:

*Withington Civic Society*

*Re*

*Indigo - review of licence*

*The Licensing Act 2003 (Summary Review of Premises licences) Regulations 2007*

*Application Type: Review of a premises licence under Section 53A of the Licensing Act 2003*

*Ref: LPU243595/AM2*

*Premises: Indigo, 457-459 Wilmslow Road, Manchester, M20 4AN*

Withington Civic Society wishes to support the application made by Greater Manchester Police (GMP).

The Society notes that the grounds for 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.

The Society is aware that there was a serious stabbing incident at Indigo in the early hours of 30<sup>th</sup> January 2020 and that subsequently GMP's Tactical Dog Unit tweeted that a police helicopter, a police dog and officers detained a man who was "hiding in a garden".

The alleged offender was subsequently arrested on suspicion of two counts of attempted murder.

According to press reports, GMP statements say there had been a memorial dedicated to a murdered man at the club that night, and that lots of members of local organised crime groups had been in attendance.

GMP requested the urgent review, saying they're 'extremely concerned' that there may be repercussions and that staff and customers could be placed in danger if the nightspot was to stay open.

Withington is a quiet residential area, full of families. It is extremely disturbing for residents to learn that organised crime groups are involved. Withington has no need of clubs, particularly ones which seemingly attract "organised crime groups". This particular club is clearly associated with crime and disorder. We understand there had been previous incidents at the premises. One occurred in February 2018 when there was an altercation after which the relevant person left the premises and later attempted to return with a firearm. Another occurred a couple of months later and involved a Public Order offence inside Indigo

We therefore support GM Police wholeheartedly.



**Withington Civic Society planning coordinator**

**12 February 2020**