

Summary Review of Premises Licence for Three Legs of Man
Licensing Act 2003/Reviews

x

Alan.Isherwood@gmp.police.uk

Attachments

12:49 (45 minutes ago)

to me

Good Afternoon,

I have just realised that there is an error within the Certificate and Application forms for this Summary Review.

It states that GMP were contacted by the North West Ambulance Service but this is incorrect, we were contacted by a male who is not connected to the ambulance service but had been present at the premises when the incident occurred. Apologies for this confusion.

Please can this be circulated to the relevant parties so that they are aware.

Many Thanks

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

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~~¹.

*Premises*²:

Three Legs of Man
402 Stretford Road
Manchester
M15 4AE

Premises licence number (if known): 31645

Name of premises supervisor (if known): Danny Rashford Hall

I am a Superintendent ³ in the Greater Manchester police force.

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the seriousness of the incident which has occurred at the premises and the complete lack of action taken by [REDACTED]

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

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.

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.

The premises are situated on Stretford Road in the Hulme area of Manchester and the premises licence was issued on 10/06/2005. The Premises Licence Holder (PLH) is Punch Taverns and the Designated Premises Supervisor (DPS) is Danny Hall who has held this position since March 2010.

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

At 1816 hours on Saturday 29th February 2020 GMP received a telephone call from North West Ambulance Service (NWAS) control stating that there was a male at the premises with a firearm. The call then went on to say that the firearm had now been taken outside the premises.

Police officers attended at the premises and after receiving further information they entered the premises and an officer asked to speak to [REDACTED]

[REDACTED] was upstairs at the time and he appeared a short time later and the officer spoke to him. The officer asked [REDACTED] if there had been any issues at the premises in the last hour to which [REDACTED] informed the officer that there had not.

As the officer was speaking to [REDACTED] another police officer spoke to some customers within the premises and then conducted a search of a bar couch in the premises where he recovered a quantity of what appeared to be bullets. A male sitting at this seat was then arrested and following this arrest the officers were directed to land adjacent to the premises where a handgun was then recovered, hidden under a brick.

[REDACTED] was then spoken to further at which point he gave the officer an account whereby he had seen a male inside the premises in possession of the bullets and the firearm and had told him to leave. The male did leave for a few minutes but then came back into the premises and was served a drink by [REDACTED] who then went upstairs to the living quarters. He has provided a signed statement to this effect. The officers requested that [REDACTED] closed the premises for the rest of the day, which he agreed to do.

No call was made by [REDACTED] to the police to alert them of the presence of a firearm and bullets at the premises and the male who he had seen in possession of them was allowed to remain on the premises and served with a drink.

The bullets and firearm will be tested to see whether they are genuine or imitation but it is clear that this could not have been known at the time that they were seen in the premises, so for [REDACTED] to have taken no action in relation to alerting the police about a male with a firearm and ammunition in his premises is extremely worrying.

[REDACTED] has shown no regard whatsoever for upholding the Licensing Objectives of the Prevention of Crime and Disorder and also Public Safety and GMP do not believe that [REDACTED] at the premises, as

we believe that if [REDACTED] it could place customers and staff in a position of danger. If a similar situation arose in the future we have no confidence that [REDACTED] would alert the authorities or take appropriate action.

A report of crime for Possession of a Firearm has since been submitted.

The legislation under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives.

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 remove [REDACTED] 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 [REDACTED] gives concerns that further serious incidents will go unreported at the premises and the safety of both customers and staff will be placed in jeopardy. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if [REDACTED] was removed 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 concerns as to the serious crime that has occurred at the premises and the lack of action by [REDACTED]



4/3/20

.....
(Signed)

(Date)



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:

**Three Legs of Man
402 Stretford Road**

Post town: Manchester

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

2. Premises licence details:

Name of premises licence holder (if known): Punch Taverns Ltd

Number of premises licence holder (if known): 03752645

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 seriousness of the incident which has occurred at the premises and the complete lack of action taken by [REDACTED]

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

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.

The premises are situated on Stretford Road in the Hulme area of Manchester and the premises licence was issued on 10/06/2005. The Premises Licence Holder (PLH) is Punch Taverns and the Designated Premises Supervisor (DPS) is Danny Hall who has held this position since March 2010.

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

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Police officers attended at the premises and after receiving further information they entered the premises and an officer asked to speak to [REDACTED]

[REDACTED] was upstairs at the time and he appeared a short time later and the officer spoke to him. The officer asked [REDACTED] if there had been any issues at the premises in the last hour to which [REDACTED] informed the officer that there had not.

As the officer was speaking to [REDACTED] another police officer spoke to some customers within the premises and then conducted a search of a bar couch in the premises where he recovered a quantity of what appeared to be bullets. A male sitting at this seat was then arrested and following this arrest the officers were directed to land adjacent to the premises where a handgun was then recovered, hidden under a brick.

[REDACTED] was then spoken to further at which point he gave the officer an account whereby he had seen a male inside the premises in possession of the bullets and the firearm and had told him to leave. The male did leave for a few minutes but then came back into the premises and was served a drink by [REDACTED] who then went upstairs to the living quarters. He has provided a signed statement to this effect. The officers requested that [REDACTED] closed the premises for the rest of the day, which he agreed to do.

No call was made by [REDACTED] to the police to alert them of the presence of a firearm and bullets at the premises and the male who he had seen in possession of them was allowed to remain on the premises and served with a drink.

The bullets and firearm will be tested to see whether they are genuine or imitation but it is clear that this could not have been known at the time that they were seen in the premises, so for [REDACTED] to have taken no action in relation to alerting the police about a male with a firearm and ammunition in his premises is extremely worrying.

[REDACTED] has shown no regard whatsoever for upholding the Licensing Objectives of the Prevention of Crime and Disorder and also Public Safety and GMP do not believe that [REDACTED] at the premises, as we believe that if [REDACTED] remains in this position it could place customers and staff in a position of danger. If a similar situation arose in the future we have no confidence that [REDACTED] would alert the authorities or take appropriate action.


A report of crime for Possession of a Firearm has since been submitted.

The legislation under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives.

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 remove [REDACTED] 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 [REDACTED] gives concerns that further serious incidents will go unreported at the premises and the safety of both customers and staff will be placed in jeopardy. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if [REDACTED] was removed 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 concerns as to the serious crime that has occurred at the premises and the lack of action by [REDACTED]

Signature of applicant: 
Date: 4th March 2020
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.