

Greater Manchester Police
Central Park
Northampton Road
Manchester

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

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

The Vine (The Valley)
Glendower Drive
Manchester

Premises licence number (if known): 50525

Name of premises supervisor (if known): Loretta Farrell

I am a Superintendent Hill 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 and serious disorder has occurred at the premises.

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

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.

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 and serious disorder 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 Glendower Drive in the Collyhurst area of Manchester and the premises licence was issued on 03/10/2005. The Premises Licence Holder (PLH) since 2007 is Andrew Mitchell and the Designated Premises Supervisor (DPS) is Loretta Farrell who has held this position since July 2018.

During the afternoon of Saturday 2nd October 2020 a wake was held at the premises and was attended by a large crowd of people estimated at more than 50. During this wake GMP received numerous calls from local residents stating that people attending were blocking the roads and driving round on quad bikes and intimidating them. There were also calls stating that people were fighting at the premises and bottles were being thrown.

Police patrols attended at the premises and were met by a violent crowd who threatened them and threw bottles at them causing them to withdraw and await further patrols.

At approximately 1730 hours an argument has started inside the premises which has then led to a mass brawl outside during which 2 males were attacked with knives and received significant injuries. The males later presented at Manchester Royal Infirmary. Several windows were smashed at the premises during the mass brawl.

Shortly after this sufficient numbers of police officers made to the location and brought the situation under control and the premises was emptied and secured as a crime scene.

2 Crime reports for Section 18 Wounding with Intent and a crime for Violent Disorder have been submitted and enquiries are continuing to trace the offenders.

This investigation is in its early stages and there will no doubt be more information uncovered over the coming weeks but what is clear is that serious disorder and serious crimes have occurred at the premises and 2 males have received significant injuries from knives.

The incident has had a terrifying effect on the residents who live near to the premises and indeed other customers who weren't connected to the wake who were present at the premises when this incident occurred.

The powers 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 and serious disorder.

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

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

Chris Hill 5th October 2020

.....
(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:

**The Vine
Glendower Drive**

Post town: Manchester

Post code (if known): **M40 7TD**

2. Premises licence details:

Name of premises licence holder (if known): Andrew Mitchell

Number of premises licence holder (if known):

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

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with

serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

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

[Please read guidance note 2]

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

Greater Manchester Police (GMP) will say that the premises are associated with serious crime and serious disorder. 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 and serious disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

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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 violence and serious disorder at the premises.

Signature of applicant: 

Date: 5/10/20

Capacity: Licensing Constable

Contact details for matters concerning this application:

Address:

Manchester Town Hall Extension

Lloyd Street

Manchester

M2 5DB

Telephone number(s): [REDACTED]

Email: [REDACTED]

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.