

IN THE MANCHESTER CITY TOWN HALL

BETWEEN:

THE CHIEF CONSTABLE
OF GREATER
MANCHESTER POLICE

APPLICANT

AND

THE EMBASSY CLUB

RESPONDENT

–
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OF DOCUMENTS

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of: **Alan Isherwood**

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

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false.

Signature: 

Date: 31/3/22

Check box if witness evidence is visually recorded (supply witness details on last page)

I am Police Constable 17659 Isherwood of the Greater Manchester Police, Licensing Officer for the City of Manchester Division, currently based in the Licensing Team at Manchester Town Hall Extension.

Part of my remit as licensing officer is to oversee all of the licensed premises on the City of Manchester Division. The objective of the role is to promote and maintain the 4 licensing objectives at licensed premises, those being the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

The Embassy Club



The premises are situated on Westbourne Grove in the Harpurhey area of Manchester. The premises licence was issued on 30/08/2005. The Premises Licence Holder (PLH) Embassy Club Ltd and the Designated Premises Supervisor (DPS) is Deborah Siddall who has held this position since November 2018.

Incident

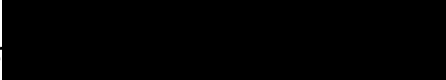
At 2243 hours on Friday 11th March 2022 GMP received a 999 call stating that there was a person with a knife at the Embassy Club and that someone had been cut.

At 2250 police officers attended at the premises and found that 2 customers at the premises had received injuries consistent with being slashed with a knife. One had a slash wound to his face and the other to his hand. Another customer had been punched to the face and one of the door staff had also been punched in the face.

The CCTV has since been viewed it has been established that around 2230 hours two unknown males approached door staff at the premises. The two males had been in the premises earlier in the evening and had been annoying other customers and behaving in an anti-social manner. The 2 males had left the premises around 2200 hours of their own accord and are seen to walk away from the premises. Upon their arrival at the premises at 2230 hours the door staff recognised them as the same males that had been causing issues earlier they stopped them from entering. The males then presented as hostile and threatened the door staff by stating they would drag them into the road and knock them out.

Another male who was present at the premises and obviously recognised the 2 males is then seen to go into the premises and attract the attention of  is then seen to walk to the entrance to the premises and a conversation then takes place between  the door staff and the 2 males.

Signature:

 Signature witnessed by:

After about 20 seconds or so [redacted] moves to one side and the 2 males are allowed entry into the premises.

The 2 males are seen walking around inside the premises for about 5 minutes or so and then they both walk out of another door which leads into the outside area at the front of the premises which is referred to as the beer garden.

One of the males walks over to near where the 2 door supervisors are standing and looks at his phone and the other male, who is at the opposite end of the beer garden, appears to be in conversation with a group of customers wearing Hi-Viz work jackets.

This conversation soon turns ugly and a scuffle breaks out between one of the males and the customers in the Hi-Viz jackets.

The male then walks away from the scuffle and speaks to his friend who is still standing near to the door staff and something is passed between them but it cannot be seen what this is. The 2 males then approach the group of customers in Hi-Viz jackets and one of the males is seen to strike a customer to the face and further blows are aimed at them.

The group of customers move back inside the premises and the 2 door staff get all the other customers back inside and the doors are closed.

The 2 offending males then make off from the area in an unidentified vehicle and to date have not been identified.

The premises operators then voluntarily closed for the night.

2 Crimes for Section 18 Wounding with Intent and 2 crimes for Common assault have been submitted and enquiries to trace the offenders are continuing. I now submit the CCTV footage as exhibit AEI/1.

It is extremely concerning that the offenders were allowed access to the premises after initially being refused entry by the door staff and it is even more concerning to learn that one of them was carrying a knife which he then used to slash the 2 victims and it is clear that action is required to ensure that this type of incident does not happen again at the premises.

Interim Steps Hearing

On Wednesday 16th March 2022 I applied for a Summary Review of the Premises Licence on the grounds that the Premises were associated with Serious Disorder. The certificate was signed by Superintendent Jones.

The Interim Steps hearing took place on Friday 18th March 2022 remotely and GMP outlined our concerns regarding the incident and pointed out that at that stage we had still not been able to view the CCTV as it had only been made available the previous evening. We asked the committee to suspend the Premises Licence pending the outcome of the full review hearing and, after deliberation; the committee took the decision to suspend the Premises Licence pending the full review hearing on Monday 11th April 2022.

Signature: [redacted]

2

Signature witnessed by:

Conclusion

Having had chance to review this incident and the CCTV, after having a discussion with my GMP colleagues, we are of the opinion that this premises has made a very poor decision in allowing the 2 males back into the premises after their poor behaviour earlier in the evening. The person in charge on the night showed naivety and poor judgement in allowing the males to re-enter the premises and clearly needs some further training before he can be left in charge of the premises again.

GMP recognises that the committee has various decisions at its disposal and that their decision is something that can only be reached by their considered wisdom and their confidence that the premises can operate safely in the future and as such we respect whatever decision is reached at the full review hearing.

If committee were however minded to a permit the premises to continue forward as a licensed premises then GMP would ask them to consider attaching the following conditions to the premises licence as the full decision as we believe that the addition of them and further training for all the staff will minimise the risk of such an incident occurring again.

The conditions are as follows:

Until such time identified members of staff have completed the personal licence training course (for example, Level 2 BIIAB), they can only work at the premises as general bar staff and cannot perform or act in a managerial capacity.

Knife wands to be deployed by door-staff when deemed necessary following their risk assessment prior to the admission and / or readmission of any given customer.

All wandering and any subsequent searches to be monitored by the premises' CCTV system.

Search equipment must be kept in working order.

Whenever SIA registered door-supervisors are required to be on duty by the terms of the premises licence, at least one must wear a body-worn video devices (body cams) that comply with the minimum requirements of the GMP Police Licensing Team

A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.

Bodycam images must be stored so that they are retrievable and accessible for replay and viewing and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days.

The premises licence holder must ensure there are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

Signature:

3

Signature witnessed by:

RESTRICTED (when complete)

MG11

4

Signature: Signature witnessed by:

2006/07 (1)

RESTRICTED (when complete)

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:
Embassy Club
Westbourne Grove
Manchester
M9 4XJ

Premises licence number (if known): 50449

Name of premises supervisor (if known): Deborah Siddall

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 extreme violence which has occurred at the premises and the lack of action from the premises.

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.

The premises are situated on Westbourne Grove in the Harpurhey area of Manchester and the premises licence was issued on 30th August 2005. The Premises Licence Holder (PLH) is Embassy Club Ltd and the Designated Premises Supervisor (DPS) is Deborah Siddall who has held this position since November 2018.

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

At 2243 hours on Friday 11th March 2022 GMP received a 999 call stating that there was a person with a knife at the Embassy Club and that someone had been cut.

At 2250 police officers attended at the premises and spoke to people who were present and it was established that around 2200 hours two unknown males approached door staff at the premises. The two males presented as hostile and threatened the door staff by stating they would drag them into the road and knock them out. They were initially refused entry into the premises by the door staff due to their behaviour but eventually the door staff were instructed to let the two males into the premise by the site manager.

Whilst in the premise the males were being loud and were bothering other customers. They eventually went outside and one of the door supervisors was outside the premises. The door supervisor observed one of the males having an argument with a brunette-haired girl. The male started to chase the girl around before the door supervisor intervened and told the male to stop, and a argument then ensued.

Meanwhile the second male got into a fight with an unknown victim close by. During this fight the unknown male suffered bruising and swelling to his right cheek.

Whilst the door supervisor was having an argument with the first male, the fighting stopped, and second male approached the door supervisor and the first male. When he got there, he asked the first male for the knife.

The door supervisor was immediately concerned and backed away and proceeded to get all the other customers inside the premises as he was concerned someone was going to get injured. As he was doing this the first male pulled the knife from his waistband and cut the door supervisor across his cheek and then proceeded to cut another male across his hands.

The door supervisor proceeded to get the customers into the building. Whilst he was doing this the second male punched him to the left-hand side of his head from behind. He managed to get everyone inside the building and locked the two offenders out.

The two males then made off in a vehicle and to date have not been identified. The premises operators then agreed to voluntarily close for the night.

2 Crimes for Section 18 Wounding with Intent and 2 crimes for Common assault have been submitted and enquiries to trace the offenders are continuing.

It is extremely concerning that the offenders were allowed access to the premises after initially being refused entry by the door staff and it is even more concerning to learn that one of them was carrying a knife which he then used to slash the 2 victims.

In the Section 182 Guidance it makes specific reference to Summary Reviews stating that the powers are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives. The powers

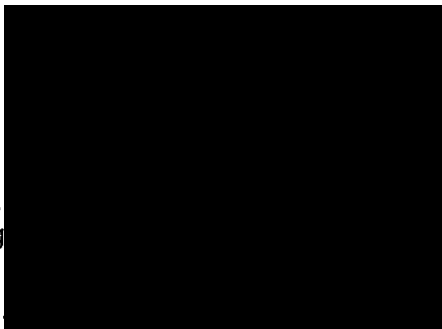
complement the general procedures in the 2003 Act for tackling crime and disorder associated with licensed premises and should be reserved for the most serious matters.

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 violence will occur at the premises and the licensing objectives will be further undermined. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime has occurred at the premises.

.....
(Sig



.....
(Date)

16/03/22.

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:

**Embassy Club
Westbourne Grove**

Post town: Manchester

Post code (if known): **M9 4XJ**

2. Premises licence details:

Name of premises licence holder (if known): Deborah Sidall

Number of premises licence holder (if known): 10949152

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 extreme violence which has occurred at the premises and the lack of action from the premises.

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.

The premises are situated on Westbourne Grove in the Harpurhey area of Manchester and the premises licence was issued on 30th August 2005. The Premises Licence Holder (PLH) is Embassy Club Ltd and the Designated Premises Supervisor (DPS) is Deborah Siddall who has held this position since November 2018.

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Whilst in the premise the males were being loud and were bothering other customers. They eventually went outside and one of the door supervisors was outside the premises. The door supervisor observed one of the males having an argument with a brunette-haired girl. The male started to chase the girl around before the door supervisor intervened and told the male to stop, and an argument then ensued.

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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 violence will occur at the premises and the licensing objectives will be further undermined. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety 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 as to the serious level of violence that has occurred. Greater Manchester Police believe that Serious Crime has occurred at the premises.

Signature of applicant: _____

Date: 16/3/22

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.