

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 Downey³ 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)

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.