

IN THE MANCHESTER CITY TOWN HALL

BETWEEN:

THE CHIEF CONSTABLE
OF GREATER
MANCHESTER POLICE

APPLICANT

AND

THE LEVENSHULME

RESPONDENT

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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

URN

[] [] [] []

Statement of: [REDACTED]

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: [REDACTED]

Date: 19/12/22

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 Levenshulme

The premises are situated on Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd, who took over the licence in June 2022 and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since July 2022.

Incidents

Greater Manchester Police have had a look back over the past 12 months at incidents which have occurred at the premises and there are 4 incidents which are as follows:

At 2128 hours on Sunday 28th August 2022 a male was asked to leave the premises due to his behaviour and after leaving the premises he retrieved a hammer from his car and threatened to smash the pub windows. He eventually left the area causing no damage. A crime for a Public Order offence was submitted but the offender was never traced.

At 2345 hours on Friday 7th October 2022 security at the premises had cause to eject a customer who was causing issues within the premises. This customer has then proceeded to punch one of the security staff causing no visible injury and police were called to the incident and the offender was arrested and charged. A crime for Common Assault was later submitted.

At 1854 hours on Monday 31st October 2022 a group of customers were asked to leave the premises by staff after becoming rowdy and anti-social. Once outside the premises there has been a disturbance and another customer was punched by one the group causing no visible injuries. The victim did not wish to pursue the matter and offender was not identified. Crimes for Common assault and a Public Order offence were later submitted.

Signature: [REDACTED] Signature witnessed by: [REDACTED]

①

Finally there is the incident which resulted in these review proceedings being instigated;

At 0151 hours on Saturday 3rd December 2022 GMP received a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed. On police arrival a male victim located and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff. On reviewing the CCTV it transpires that the victim begins a verbal argument with another male. This escalates and the victim throws a drink at the male before punching him to the face a number of times. As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises. The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times as he slumps against a taxi. A male wearing a tan coloured jacket and a cap, who has been identified [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to be cleaning the object on the bottom of jacket before placing it back in his waistband. The male with the knife loiters in the area and assists the victim to collect his belongings off the floor and as he bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This object wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband. The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone. The disturbance then continues and windows at the premises are smashed prior to GMP arriving at the premises. The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding. As a result of this violent incident several crimes have been submitted, including assault crimes, criminal damage and Violent Disorder.

Enquiries into this incident and subsequent crimes are ongoing and will likely take some time to finalise. The CCTV footage will be played at this hearing.

Interim Steps Hearing

On Monday 5th December 2022 I applied for a Summary Review of the Premises Licence on the grounds that the Premises were associated with Serious Crime and Serious Disorder. The certificate was signed by Superintendent Jones.

The Interim Steps hearing took place on Wednesday 7th December 2022 and GMP outlined our concerns regarding the incident. 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 Thursday 29th December 2022.

Conclusion

Since the Interim Steps hearing meetings have taken place between responsible authorities and the PLH and their legal representative and these meeting have proved to be constructive and encouraging, It was discussed that this is the only incident involving the use of a knife at the premises and it was also acknowledged that the Premises licence itself could be strengthened by way of further conditions to lessen the likelihood of such an incident occurring at the premises in the future.

Signature:  Signature witnessed by: 

GMP fully appreciate that the committee will make their decision based on what they believe are the most proportionate and necessary steps to ensure that the 4 licensing objectives are upheld and that incidents of this kind do not happen in the future.

With that in mind GMP would respectfully suggest that the addition of extra conditions to the Premises Licence would address our own concerns and would be a proportionate outcome to these review proceedings but respect whatever decision is made.

Should committee be minded to to attach extra conditions to the Premises Licence as the final decision then GMP would ask they the following conditions are considered:

1. The premises licence holder must ensure that:

- CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
- The system records clear images permitting the identification of individuals
- The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days
- The CCTV system operates at all times while the premises are open for licensable activities.
- All equipment must have a constant and accurate time and date generation
- The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected
- There must be at least one member 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).

2. On Fridays and Saturdays and any Sunday preceding a Bank Holiday a minimum of 2 SIA registered doorstaff shall be employed at the premises from 2100 hours until the premises are closed and all the customers have left. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS/PLH. When employed doorstaff shall wear hi-vis armbands.

3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.

4. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior.

5. The premises will introduce and operate a search policy which is to be agreed with Greater Manchester Police. This search policy will include the use of knife wands when deemed appropriate.

6. Regular toilet checks shall be made to ensure the area is not being used for criminal activities.

7. Door staff shall sign on sign on and off duty in a book kept for that purpose including their full name and SIA badge number. All entries shall be checked and signed by the DPS or their nominated deputy.

8. Persons shall not be permitted to enter or leave the premises if in possession of any form of open bottle or glassware

Signature:

..... Signature witnessed by:

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 Levenshulme
959 Stockport Road
Manchester
M19 3NP

Premises licence number (if known): 48599

Name of premises supervisor (if known): [REDACTED]

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 actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and Serous Crime which has taken place at the premises GMP feel that it is

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.

necessary for an expedited review to take place.

The premises are situated on Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the [REDACTED] from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

What makes this incident all the more concerning is that the male with the knife, who [REDACTED] here, was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 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 and Serious Disorder has occurred at the premises.



5/12/22.

(Date)

7

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 [REDACTED] [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 Levenshulme
959 Stockport Road**

Post town: Manchester

Post code (if known): **M19 3NP**

2. Premises licence details:

Name of premises licence holder (if known): The Craft Union Pub Company Ltd

Number of premises licence holder (if known): 09429990

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 actions of the security staff.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder and Serious Crime. Therefore due to the Serious Disorder and 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 Stockport Road in the Levenshulme area of Manchester and the premises licence was issued on 17th August 2005. The Premises Licence Holder (PLH) is The Craft Union Pub Company Ltd and the Designated Premises Supervisor (DPS) is [REDACTED] who has held this position since August 2022.

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

On Saturday 3rd December 2022 at 01.51 the police receive a 999 call from the DPS from the Levenshulme pub stating that someone had been stabbed.

On police arrival a male victim was seen by police and had a wound to the abdomen, he was present with his partner. They stated that they had been assaulted by the door staff.

On reviewing the CCTV it transpires that the victim begins a verbal argument with a presently unknown male. This escalates and the victim throws a drink at the male before punching him to the face a number of times.

As the footage continues 2 door staff can be seen in the door way of the premises and don't do anything to de-escalate the fighting that is taking place in front of them involving customer from the premises.

The altercation continues and the 2 door staff then walk over to a car that is parked nearby. Another male, who is the partner of the male with the stab wound has been filming the door staff on his mobile phone and as the door staff reach their car one of them suddenly runs toward the male with the phone and delivers a flying kick to his head before punching him numerous times.

A male wearing a tan coloured jacket and a cap, who has been identified as the window cleaner from the premises, is then seen to get an object from the back of his trouser waistband. He approaches the fight and is seen to make a stabbing motion towards the victim's abdomen area. The fight continues and the victim doesn't appear to have noticed he has been injured. The male with the knife follows the fight but does not get involved any further, he then appears to then be cleaning the object on the bottom of jacket before placing it back in his waistband.

The male with the knife loiters in the area and assists the victim to collect his

belongings off the floor. As the male with the knife bends over to pick up the items there is clearly an object sticking up from his waistband under the back of his jacket. This wasn't obvious previously on the CCTV so confirms that something has been rearranged in his waistband.

The door staff have by now got into their vehicle and driven away having done nothing except assault the male with the mobile phone.

The male with the knife has been identified and has subsequently been arrested for a Section 18 Wounding.

As a result of this violent incident several crimes have been submitted, including assault crimes and Violent Disorder.

What makes this incident all the more concerning is that the male with the knife [REDACTED] here, was clearly in possession of the knife whilst he was inside the premises. Further to this, the door staff who are employed to deter and prevent incidents of this kind do nothing to stop the fighting and actually violently assault a male who is filming them on his phone.

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 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 and Serious Disorder has occurred at the premises.

Signature of applicant

[REDACTED]

Date: 5/12/22

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

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.