



## Expedited Review Application - Schedule 8A

Application for the review of a premises licence under section 53A of The Licensing Act 2003 (premises associated with serious crime, serious disorder or both)

### 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, Police Constable 15194 Christian ABBOTT,

**On behalf of the chief officer of police for City of Manchester Division, Greater Manchester Police, apply for the review of a premises licence under section 53A of the Licensing Act 2003.**

Postal address of premises, (or if none or not known, ordnance survey map reference or description):

**Toybox, St Johns House, 2 Queen Street,**

Post town: Manchester

Post code (if known): **M2 5JB**

Name of premises licence holder: Blue Oak Limited, 130 Shaftsbury Avenue, London, W1D 5EU

Premises licence number (Local Authority reference) : **162506**

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

*(Please tick the box to confirm)*

Details of association of the above premises with serious crime, serious disorder or both: *[Please read guidance note 2]*

Greater Manchester Police have received evidence of serious crime and disorder at the premises Toybox, St Johns House, Queen Street, Manchester.

At 0326hrs on 1<sup>st</sup> January 2019 police were notified via city centre CCTV of a male kicking off at Toybox, in possession of a baseball bat. At this time no record can be found of the premises notifying police. On arrival of officers there were 2 males fighting with the door staff. The disturbance was of a sufficiently serious nature for an officer to press their emergency button requesting other patrols urgently. One of the males fighting with the door staff was in possession of a baseball bat and had to be tasered by police to disarm him. This male was arrested by police for possession of an offensive weapon and affray. A number of officers were required at the scene to quell the frayed tempers of persons present at the scene.

The offender was removed from the scene and escorted to custody whilst officers at scene remained to obtain evidence. Whilst they were present there was a further disturbance originating from inside the premises and spilling outside. This resulted in officers present, having to request back up again. This disturbance continued and one male was headbutted and then stabbed in the arm and abdomen. The offender made off and was chased by officers. Other pockets of disorder occurred resulting in another police officer being assaulted, although relatively minor in nature. A knife was also recovered at the scene.

Police officers tended first aid to the victim whose condition appeared to deteriorate. Ambulance crew attended and the victims injuries were considered life threatening and enough to warrant rushing to hospital using emergency equipment. In the day that followed the victim had 2 surgeries and at the time of writing is in the High Dependency Unit still.

These are 2 incidents of such a serious nature involving multiple weapons. It is not inconceivable to believe that either could have proved fatal. It appears the clientele are of a violent nature and the

suspension is required to protect the public from harm. If the premises were to remain open to the public further serious offences may occur. As it stands the police feel the venue has lost control and the closure would prevent any further victims of violence.

On Wednesday 2<sup>nd</sup> January 2019 I have requested an expedited review take place, following this serious incident of crime.

Greater Manchester Police request that the licensing authority consider the suspension of the premises licence until the full review is heard before the committee.

Signature of applicant: .....  P.C. 15194

Date: ..... 02/01/19

Capacity / role: Licensing Officer, Manchester City Centre

Contact details for matters concerning this application: P.C. 15194 Christian ABBOTT

Address: Town Hall Extension, First Floor, Town Hall, Lloyd Street, Manchester

Telephone number(s): 0161 856 3073/ 07387099467

Email: 15194@gmp.pnn.police.uk

**ANNEX B**

Greater Manchester Police  
Central Park  
Northampton Road  
Manchester  
M40 5BP

**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<sup>1</sup>.

*Premises*<sup>2</sup>:

Toybox  
St Johns House  
2 Queen Street  
Manchester  
M2 5JB

Premises licence number (if known): 162506

Name of premises supervisor (if known): Richard Stansfield

I am a Superintendent Chris HILL<sup>3</sup> 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, because<sup>4</sup>:

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 clientele frequenting the premises. Greater Manchester Police (GMP) will say that the premises are associated with Serious Crime and Serious Disorder. Therefore due to the Serious Crime and

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> 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 Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises is situated on Queen Street in the Commercial district of Manchester city centre. The licence was granted on 22/07/14 and transferred to the new owners. The last variation was granted on 12/11/2018 ref 221892. The Premises Licence Holder is Blue Oak Limited and the Designated Premises Supervisor is Richard Stansfield.

The incidents which have given rise to this review being triggered are outlined below:

At 0326hrs on 1<sup>st</sup> January 2019 police were notified via city centre CCTV of a male kicking off at Toybox, in possession of a baseball bat. At this time no record can be found of the premises notifying police. On arrival of officers there were 2 males fighting with the door staff. The disturbance was of a sufficiently serious nature for an officer to press their emergency button requesting other patrols urgently. One of the males fighting with the door staff was in possession of a baseball bat and had to be tasered by police to disarm him. This male was arrested by police for possession of an offensive weapon and affray. A number of officers were required at the scene to quell the frayed tempers of persons present at the scene.

The offender was removed from the scene and escorted to custody whilst officers at scene remained to obtain evidence. Whilst they were present there was a further disturbance originating from inside the premises and spilling outside. This resulted in officers present, having to request back up again. This disturbance continued and one male was headbutted and then stabbed in the arm and abdomen. The offender made off and was chased by officers. Other pockets of disorder occurred resulting in another police officer being assaulted, although relatively minor in nature. A knife was also recovered at the scene.

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These are 2 incidents of such a serious nature involving multiple weapons. It is not inconceivable to believe that either could have proved fatal. It appears the clientele are of a violent nature and the suspension is required to protect the public from harm. If the premises was to remain open to the public further serious offences may occur. As it stands the police feel the venue has lost control and the closure would prevent any further victims of violence.

I am satisfied that the conduct constitutes an offence for which a person aged 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 or more years as per section 81 (3) Regulation of Investigatory Powers Act 2000 (RIPA 2000).

The incident which occurred on Tuesday 1st January 2019 raises concerns over the management of the premises and the ability of the Premises Licence Holder and Designated Premise Supervisor to promote the licensing objectives.

I have considered all powers available and feel that closure powers contained



within Section 76 of the Anti-Social Behaviour, Crime & Policing Act 2014 are inappropriate due to the limited 48-hour closure not being sufficient to protect the public.

Section 51 of the Act in addition to the above is inappropriate due to the serious nature of the offences being investigated.

The powers contained under Section 53A the Licensing Act 2003 are appropriate to be exercised due to the above previously mentioned powers being inappropriate for the purposes of this review. There are real serious and immediate concerns that the mis-management of the premises is failing to promote the licensing objective of the prevention of crime and disorder. By failing to promote this licensing objective it has led to serious crime occurring at this premise.

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. At that time all matters can be fully addressed whilst being able to consider all the necessary evidence.



2/1/19

(Signed)

(Date)