

Licensing & Out of Hours Compliance Team - Representation	
Name	██████████
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	██
Telephone Number	██████████

Premise Details	
Ref No	619557
Name of Premises	The Lounge
Address	29 - 31 Withy Grove, Manchester

Representation in Support of GMP
<p>The Licensing and Out of Hours Team (LOH) are writing to support the application to review the premises licence by Greater Manchester Police (GMP). We have concerns about the premises licence holder's ability to uphold the licensing objectives, namely the prevention of public nuisance and the prevention of crime and disorder.</p> <p>The Lounge is a City centre nightclub situated on Withy Grove and is a busy and popular location close to The Printworks entertainment complex. The venue is open Friday and Saturday 2000 until 0700 and Sunday 2300 to 0500. The premises is a popular late night venue and tends to be most popular after all the other venues in the area have closed, largely due to its late opening time.</p> <p>LOH had reason to call a pre-review meeting with the management of the premises along with GMP on 9 March 2018. The purpose of the meeting was to discuss a number of observations that had been made at the premises. Rather than taking the premises to review at the time, a pre-review meeting was deemed more appropriate as this gave us the opportunity of working with the premises first and allowed us to offer the management advice and guidance on how to uphold the licensing objectives.</p> <p>The Licensing Pre-Review meeting on 9 March 2018 focused on a number of condition breaches that had been observed by LOH officers, namely:</p> <p><b>Annex 3 Condition 5: All lawful instructions and directions given by the Police to be complied with by DPS and all staff.</b></p> <p>Body cam footage from a Police Sergeants interaction with Mr Eddie Odudu</p>

on 18th February 2018 showed a heated exchange between Mr Odudu and the GMP Sergeant who had asked Mr Odudu to control the area outside the premises. It was felt by both the Sergeant and LOH officers present that the instructions to move patrons from outside the venue was not responded to by Mr Odudu as well as one would hope in such circumstances. The LOH officer present described Mr Odudu's interaction with the Sergeant to be aggressive, dismissive and had appeared to be very anti-authoritarian. The LOH officer present commented that this reaction is not one that should be expected when a senior member of GMP's policing team is asking a premises licence holder for support. LOH viewed the body cam footage at the time but do not have access to this bodycam footage currently as this was held and stored by GMP.

***Annex 3 Condition 13: The external area of the premises shall be supervised to ensure that members do not congregate on leaving and that persons who cannot gain entry leave the area quickly and quietly.***

It was evident from both LOH observations and the fact that the GMP Sergeant had to call for backup on the 18 February 2018 that this condition was not being upheld. There have been a number of times when the outside area has been deemed to be poorly managed and LOH will refer to evidence relating to the Council's own CCTV, and CCTV from the Printworks complex.

***Annex 3 Condition 26. A metal detector arch shall be installed on the entrance to Lounge 31 and shall be in operation at all times that Lounge 31 is open to the public.***

On the 16th February 2018, during a random spot check carried out by LOH and GMP, the knife arch situated at the entrance of the premises was turned off. This random visit was part of an operation conducted over one night that saw LOH and GMP visit every premises within the City centre that had a knife arch installed. From those visits, The Lounge was the only premises found with a non working knife arch and therefore found to be in breach of their premises licence. It transpired whilst at the premises that the arch was not working due to a loose wire in the extension socket to which the arch was connected. This spot check led to serious concerns and begged the question as to how long this has had actually been out of operation as it was only as a result of our visit that the fault with the knife arch was rectified.

***Annex 3 Condition 30. In the event patrons are causing a nuisance queuing outside the premises, door staff shall remind them to be aware of local residents.***

On the night in question there was no attempt by door staff or any other staff at the premises to deal with the noise from those queueing.

In addition to the above condition breaches, during the pre-review meeting the LOH team also discussed what they viewed as irresponsible drinks

promotions taking place at the premises, namely a triple vodka & Redbull £3.00 promotion, an 'all you can drink for £20:00' with an 11pm cut off promotion and a Weekly event held at the premises called 'Wasted Wednesdays'

The above matters were discussed and an action plan was produced with the venue, email correspondence exhibited.

Following the pre-review meeting, further incidents of public nuisance and poor management of the outside area continued to be observed and reported. On 8th April 2018, the City Centre Inspector for GMP attended the area and described the area directly outside the premises as 'very badly managed'. So concerned was he that he stationed 6 of his officers outside the venue for the remainder of the evening in order to keep the peace. This included a number of TAU officers which lends insight into the level of concern the Inspector had at the time. LOH have seen CCTV footage of the officers stood outside the premises on the night in question which at the time was held and stored by GMP.

In response to the above observations, on 16 April 2018 LOH carried out a Licence inspection at the premises to ensure compliance with the licence conditions and to ensure that the agreements made at the pre-review meeting had been put in place. On this visit it was found that the premises were adhering to their premises licence conditions and the agreements made at the pre-review were being adhered to although the issue of public nuisance outside the venue still remained.

Following further observations by LOH officers, a visit was undertaken on 12 May 2018 to ensure that the CCTV and Club scan system were working correctly as it was observed by LOH officers that people may have been able to gain access to the premises without going through the club scan system. At the time of inspection the premises was closed for refurbishment but both the club scan system and the CCTV system appeared to be in working order. It is worth mentioning that the club scan checks on this occasion were limited to ensuring that the details were being stored on the system correctly.

Following the above licensing inspections, over the subsequent months it appeared from external monitoring that the previous issues that had blighted the premises and the outside area had been resolved. However, towards the end of 2018, LOH officers started hearing about further incidents occurring in and around the premises from numerous sources. It was also unclear as to how many of these incidents had been reported by the venue. As a result of these renewed concerns, a licensing spot check (known as a VLP) was undertaken by LOH on 13th January 2019 at 04:42. During the VLP, the following observations and licence breaches were observed:

**Annex 2: Condition 6:.....Any drugs found following a search shall be confiscated, a record shall be made in a logbook, which shall be kept at**

***the premises, and the items shall be surrendered to Greater Manchester Police.***

When questioned about the drugs policy, a member of staff at the premises advised that they 'only ever find weed which we confiscate and dispose of'. This response was of particular concern as there seemed to be no record of how often such drugs were found or how these drugs are disposed of. This was even more worrying as, by the DPS's own admission, the area immediately outside the venue is blighted with drug dealers. With such open and unchallenged drug dealing occurring outside the venue, it is not completely inconceivable that some of these drugs may end up inside the premises. It also needs to be considered whether these congregations of drug dealers outside are a direct result of the premises and the laid back attitude staff have towards drug control.

***Annex 3 Condition 7: The proprietors shall install and maintain in good working order a club ID scan system or similar. The system shall be capable of recording and retaining a record of the identity of patrons entering the premises.***

Officers noted that customers who were not already on their 'club scan' system had to have their photograph taken on an Ipad by a member of staff. A staff member informed the officers that these photographs would then be uploaded later in the week. Whilst the wording of this particular condition is admittedly open to interpretation, the current 'club scan' system being used at the premises does not appear to be fit for purpose and it is very doubtful that the system that is in place is what the committee had in mind when they felt that there was a need to add such a condition to the premises licence.

***Annex 3 Condition 4: All incidents of crime or disorder in the premises shall be reported via the test/pager/radio link to the Council's Central Watch by the DPS or nominated member of staff.***

Officers were unable to check whether incidents are being recorded correctly as the Night Net system does not contain any 'incident reports' received from the premises over the last 3 months and there was no incident book present on site during the visit on 13 January 19. If incidents of crime and disorder are being recorded, LOH have not had sight of any such information.

In addition to the above licence breaches, whilst at the premises on 13th January 2019 officers also observed a heavily intoxicated male being searched by door staff whilst unable to keep his eyes open. Following the search, the male was allowed entry to the club despite his intoxicated condition. This matter was raised with staff at the venue at the time. In addition to this, whilst officers were in the CCTV room speaking with staff, one of the door staff called through on the radio stating that 'people are getting inside without being searched'. Whilst this appears to have been a temporary

issue that the door staff were aware of and seemingly trying to address, it was still a concerning admission by the door staff during the relatively short duration of the visit.

In relation to the incident that resulted in the premises being brought before the committee on 16th January 2019, the LOH team were concerned to hear the circumstances surrounding the lack of reporting of the incident which tied in with their own findings.

It transpires that at 06:14 on Saturday 5 January 2019 – an incident of violent disorder was reported at the premises. GMP were notified of this disorder by a passing member of the public and the Council's CCTV operators. There was no report received from the premises about the incident either by phone or the Night Net system. The LOH team have been informed that the premises instead closed the shutters to the venue and logged off the Night Net system whilst the incident was occurring. Not only was this a breach of the condition mentioned above, (Annex 3 Condition 4) this was also a breach of:

***Annex 3 condition 17: A night-net radio link shall be implemented, maintained and used.***

It is the view of LOH that the failure to report this incident of serious disorder to Night Net or GMP led to a delay in the relevant emergency services arriving on scene. This demonstrates a serious failure in the management and suggests that the management are unwilling to uphold the licensing objectives.

In addition to this lack of reporting being a breach of conditions, the Statement of Licensing Policy MS6 states: *'Procedures are expected to be in place at the premises to initiate 999 calls when an emergency concerning a person's physical safety is in progress.'* It is clear that on the night in question staff at the premises did not follow this policy.

On Wednesday 16 January 2019 at the hearing in front of the Licensing sub committee, the DPS of the licensed premises Mr Edward Odudu showed the committee CCTV footage of an incident outside the premises. Mr Odudu explained that the footage showed a male who had been refused entry to the premises and had subsequently pulled a knife on a member of the door staff. Mr Odudu highlighted this as an example of **his** door staff managing the outside area well and diffusing an incident with the potential for serious harm being caused. However, it has since become apparent from social media that the individual who took the knife wielding male to the ground was not a member of Lounge door staff as suggested but was in fact an off duty employee of Base Security who was stood with door staff purely by chance. Worryingly, the door staff employed by the premises appear to do relatively

little until the knifeman has been taken down and disarmed. Exhibited are the comments from the Instagram account of Base security where reference is made to doorman being employed by Base Security Limited rather than a member of The Lounge's own security team. As such, any attempt to claim that 'the premises door staff' dealt with the incident should be considered by the committee with caution.

LOH supports Greater Manchester Police's application to review this premises licence.

Dear Sir,

I am writing with reference to the summary review of premises licence number 89714 for The Lounge, 29-31 Withy Grove, Manchester M4 2BJ.

As an owner of a property in [REDACTED] Manchester, I am well aware of both the frequent disturbances and even serious and violent incidents that have occurred outside the club over the years, in addition to suffering the noise, nuisance and anti-social behaviour caused by either the club or by their customers outside.

Between the 28<sup>th</sup> June 2014 to the 4<sup>th</sup> December 2017 my son occupied my apartment and continually experienced severe problems relating to The Lounge club including witnessing the police having to deal with the tragic stabbing of a young man located in the entrance way to The Lounge on the 5<sup>th</sup> October 2016.

When The Lounge applied for an extension to their opening hours in February 2017 he registered our objections as follows:-

**"Sent:** 01 March 2017 16:46

**To:** [Premises.licensing@manchester.gov.uk](mailto:Premises.licensing@manchester.gov.uk)

**Subject:** The Lounge Bar extended hours application

*Dear Reader*

*I am writing to register my objection to the application for extended opening hours until 06:30 Monday to Sunday by UMS Events LTD for The Lounge at 31 Withy Grove, M4 2BJ. The basis for this opposition is that by granting an extended license for these premises it will contribute to the cumulative effect of further and more frequent incidences of crime and disorder, public nuisance and an increased concern for public safety.*

*Withy Grove already boasts two of the largest night clubs within the city centre, Tiger Tiger with opening hours Monday to Saturday 12:00pm to 3:00am and Sunday 12:00pm to 12:00am and the Birdcage who open Wednesday 10pm to 3:00am, Friday 9:00pm to 2:00am and Saturdays 8:30pm to 4:00am. It would be inevitable that customers leaving these clubs would then choose to go to a venue that remained open later increasing the already ongoing problems detailed below.*

*Residents within [REDACTED] already suffer noise, nuisance and anti-social behaviour by the people attending The Lounge. Urination, vomiting and littering on the pavement directly outside our foyer door is common place. The queue system for entry to the club is always manipulated by the club security and their queue order railing system to directly block the only access into our apartment building and even when I politely request the lounge customers to move so I can gain entry, it is not uncommon for me to be subjected to torrents of verbal abuse as they believe I am trying push in. I have never received any from The Lounge employees and to the end of the evening no effort is made by the club security to disperse the crowds in an orderly fashion. The occurrence of club clients cars*



*being parked on the pavement with their windows open and their music being played loudly at the end of club hours for a prolonged period of around an hour is also not uncommon. Customers of the club seem to be able to bring glass bottles outside and broken glass is consistently found shattered on the pavement surrounding the access into the building.*

*Although my apartment is on a higher floor there is an issue with the high level of noise heard within my apartment from The Lounge which is situated on the ground floor of my apartment building and has been referred to the Peoples Protection Unit and Environmental departments at Manchester City Council via [REDACTED].*

*I believe that if The Lounge were allowed to remain open until 06:30AM from Monday to Sunday and its clientele were able to consume even more alcohol then it is likely that this will only contribute to an increase in drinking related serious violence such as the tragic incident on the 05/10/16 where 9 police cars were called including a police dog unit to deal with the stabbing of a young man located in the entrance way to The Lounge bar.*

*In view of the above considerations I would urge the licensing department at Manchester City Council to refuse this licensing application. I would like to also request that my personal details and address to not be passed over to the license applicant as there is little room for manoeuvre on my behalf for the issues highlighted in this letter.*

*Thank you*

*Regards"*

As you are no doubt aware, the Licensing Sub-committee granted the extension to The Lounge's opening hours on the 28<sup>th</sup> March 2017 providing they adhered to additional conditions, including, reminding patrons outside to be aware of local residents, assisting with the dispersal of patrons away from the premises and ensuring that the area outside is kept clean and free from litter.

Since the 15<sup>th</sup> February 2018 I have leased my property to a tenant and receive ongoing and frequent complaints from them regarding persistent and loud noise from both The Lounge and their customers, continued incidents of urination, vomiting and littering deposited by people leaving The Lounge on the pavement outside the main and only entrance to our building and frequent experiences of considerable difficulty and intimidation when entering and leaving our property by the customers of The Lounge congregating on the pavement immediately outside of our building.

In view of the above I therefore wish to support the opinion of GMP's Superintendent that The Lounge club is associated with both serious crime and serious disorder especially in consideration of The Lounge's Licence Holder, seeming to have a complete disregard of the conditions imposed by the Manchester City Council's own Premises Licensing Team.

Please note that I do not wish for my details or that of my son to be passed to the Licensee of The Lounge due to past pressure from them over this matter.

Kind regards,

[REDACTED]

[REDACTED]





From: <[REDACTED]>  
Date: Mon, 28 Jan 2019 at 17:44  
Subject: The Lounge Premises License Number 89714  
To: <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Re: The Lounge 29 – 31 Withy Grove, Manchester, M4 2BJ  
Premises Number: 89714

Manchester City Council,

I would like to mention the ongoing issues with the bar/club, please see the bullet point below:-

1. Consistent noise issue until early hours in the morning sometime til 5am, how and when do we sleep.
2. Consistent fights
3. Consistent cars parked on the footpath
4. Always people in front of the main entrance of the residential block,
5. Front door always damaged by the customers of the club
6. Rubbish thrown on foot paths outside the area
7. Smell of drugs and people offer drugs to random people
8. Club is opened all days until early morning
9. Knife crime, drugs , fighting.

This list can go on and on, I would like Manchester City Council to take action, we have had a great time since they have closed.

We have found that this place closes and then reopens under a different brand.

Outcome would be a complete closure.

Surely you are aware on how long this issue has been going on since and what sort of mess it creates every night. Not just to us but for Police too.

Kind regards,

**Director**

[REDACTED]  
[REDACTED]