

ANNEX B

Greater Manchester Police  
Central Park  
Northampton Road  
Manchester

22/07/10

**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>:  
The Lounge  
29 Withy Grove  
Manchester  
M4 2BJ

Premises licence number (if known): 89714

Name of premises supervisor (if known): UMS Events Ltd

I am a Superintendent <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 lack of action from the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder. Therefore due to the Serious Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take

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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.

place.

The premises are situated on Withy Grove in Manchester city centre and the premises licence was issued on 19/05/2006. The Premises Licence Holder (PLH) is UMS Events Ltd and the Designated Premises Supervisor (DPS) is Mr Edward Odudo who has held this position since 10<sup>th</sup> January 2012.

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

At 0614 hours on Saturday 5<sup>th</sup> January 2019 GMP were contacted by City Centre CCTV control stating that there were 3 or 4 males fighting outside Lounge on Withy Grove.

At 0616 hours GMP were contacted by a member of the public who stated that there were 20 - 25 males fighting outside the premises but that he had now left the location so had no further details.

CCTV control updated further that some of the males were now taking off their belts.

A few minutes later the first police patrol arrived on Withy Grove and stated that there is nothing ongoing and the premises are shut. Another police patrol stated that a group of males have run towards the Urbis.

CCTV of the incident has been obtained from the City Centre control room and what it shows is an extended incident of extreme violence which begins on the door step of the premises between a small number of people and escalates very quickly into a large scale Violent Disorder involving numerous people which spreads out right across the street.. Several people are assaulted and some of the males take off their belts and use them as weapons. People are seen to be punched or kicked to the floor and then kicked by groups of males whilst they are lay on the ground.

The incident lasted approximately 7 minutes and at no point during this time did the premises contact GMP to report this large scale fight and they also did not report the incident over Nite Net which is condition on their Premises Licence. This has been confirmed by CityCo who run the Nite Net system. The footage at the end of the clip shows that the premises have pulled down their shutter and officers who attended at the scene stated that the premises were shut on their arrival.

Therefore GMP have serious concerns as to this incident of violence which went unreported by the premises and from looking at the CCTV it is clear that serious injury could very easily have been caused.

As recently as the weekend of the 11<sup>th</sup> - 13<sup>th</sup> of January 2019 there were 2 incidents reported at the premises.

At 0446 hours on Saturday 12<sup>th</sup> January 2019 door staff at the premises asked 2 police officers who were on Withy Grove to enter the premises and assist with a fight that was happening on the dance floor. Once the officers were inside the premises and were trying to deal with the disturbance they were surrounded by up to 20 customers and the officers activated their emergency buttons to summon other police to the location. Luckily the incident de escalated fairly quickly and the officers left the premises unharmed.

At 0426 hours on Sunday 13<sup>th</sup> January 2019 GMP were contacted by CCTV control stating that the door staff at the premises had detained a male with a knife. Police patrols attended and a male was found in possession of a knife and arrested.

There have been several other incidents of violence or disorder at the premises over the past 12 months and details of these will be disclosed at the full hearing. Whilst reviewing CCTV footage on Monday 14<sup>th</sup> January 2018 of previous incidents at the premises, the seriousness of this incident on 5<sup>th</sup> January 2019 became apparent and hence this Summary Review application.

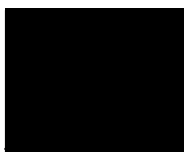
The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Disorder.

The premises were subject of a previous Summary Review in 2011 when there was another large scale disturbance outside the premises, so this is not the first time that the premises have found themselves at an Interim Steps hearing.

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 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 violent incidents will occur at the premises and the safety of both customers and staff will be placed in jeopardy. 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 extreme level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.

.....  
(Signed)



Supr



.....  
(Date)

14/1/19

## 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)**

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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.
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**1. Premises details:**

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

**The Lounge  
29 Withy Grove**

Post town: Manchester

Post code (if known): **M4 2BJ**

**2. Premises licence details:**

Name of premises licence holder (if known): UMS Events Ltd
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Number of premises licence holder (if known): 4447014
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**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

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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 Disorder. Therefore due to the Serious Disorder 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 Withy Grove in Manchester city centre and the premises licence was issued on 19/05/2006. The Premises Licence Holder (PLH) is UMS Events Ltd and the Designated Premises Supervisor (DPS) is Mr Edward Odudo who has held this position since 10th January 2012.

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

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CCTV of the incident has been obtained from the City Centre control room and what it shows is an extended incident of extreme violence which begins on the door step of the premises between a small number of people and escalates very quickly into a large scale Violent Disorder involving numerous people which spreads out right across the street.. Several people are assaulted and some of the males take off their belts and use them as weapons. People are seen to be punched or kicked to the floor and then kicked by groups of males whilst they are lay on the ground.

The incident lasted approximately 7 minutes and at no point during this time did the premises contact GMP to report this large scale fight and they also did not report the incident over Nite Net which is condition on their Premises Licence. This has been confirmed by CityCo who run the Nite Net system. The footage at the end of the clip shows that the premises have pulled down their shutter and officers who attended at the scene stated that the premises were shut on their arrival.

**Therefore GMP have serious concerns as to this incident of violence which went unreported by the premises and from looking at the CCTV it is clear that serious injury could very easily have been caused.**

**As recently as the weekend of the 11th - 13th of January 2019 there were 2 incidents reported at the premises.**

**At 0446 hours on Saturday 12th January 2019 door staff at the premises asked 2 police officers who were on Withy Grove to enter the premises and assist with a fight that was happening on the dance floor. Once the officers were inside the premises and were trying to deal with the disturbance they were surrounded by up to 20 customers and the officers activated their emergency buttons to summon other police to the location. Luckily the incident de-escalated fairly quickly and the officers left the premises unharmed.**

**At 0426 hours on Sunday 13th January 2019 GMP were contacted by CCTV control stating that the door staff at the premises had detained a male with a knife. Police patrols attended and a male was found in possession of a knife and arrested.**

**There have been several other incidents of violence or disorder at the premises over the past 12 months and details of these will be disclosed at the full hearing. Whilst reviewing CCTV footage on Monday 14th January 2018 of previous incidents at the premises, the seriousness of this incident on 5th January 2019 became apparent and hence this Summary Review application.**

**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 Disorder.**

**The premises were subject of a previous Summary Review in 2011 when there was another large scale disturbance outside the premises, so this is not the first time that the premises have found themselves at an Interim Steps hearing.**

**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 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 violent incidents will occur at the premises and the safety of both customers and staff will be placed in jeopardy. 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 extreme level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.**



Signature of applicant: — 

Date: 14/1/19

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.