

*[Insert name and address of relevant licensing authority and its reference number (optional)]*

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**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 this 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. You may wish to keep a copy of the completed form for your records.

I ... Gemma Hunt on behalf of the Licensing & Out of Hours Team  
*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Sky Lounge 241 Barlow Moor Road	
<b>Post town</b> Manchester	<b>Post code (if known)</b> M21 7QL

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Salar Henareh
--

<b>Number of premises licence or club premises certificate (if known)</b> 287791
---

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

x

3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

**Surname**

**First names**

Please tick ✓ yes

**I am 18 years old or over**

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address

Gemma Hunt  
Licensing & Out of Hours Team  
Hammerstone Road Depot  
Gorton  
M18 8EQ

Telephone number (if any)

██████████

E-mail address (optional)

gemma.hunt@manchester.gov.uk

**This application to review relates to the following licensing objective(s)**

- |   | Please tick one or more boxes ✓     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review** (please read guidance note 2)

1. Persistent refusal from the Licence Holder to comply with the hours & multiple conditions of the licence
2. Refusal by the Licence Holder to provide CCTV in line with conditions & in connection with allegations of unauthorised licensable activities
3. Complaints received by members of the public relating to nuisance & licensing offences
4. Offences being committed under the Health Act 2006 relating to smoke free legislation

**Please provide as much information as possible to support the application** (please read guidance note 3)

**The premises licence for Sky Lounge was granted on the 18<sup>th</sup> September 2023 at a licensing committee hearing.**

At the committee hearing the licence holder gave a number of assurances to the committee of how the premises would be operated. The hours were amended, and conditions offered to reflect this. Additionally, a number of questions were put to the PLH to satisfy the committee that the licensing objectives would be upheld at the premises. It was soon discovered after the premises began operating that the PLH had misled the committee and had supplied deliberate and false information.

**1<sup>st</sup> November 2023** – The LOOH team received the 1<sup>st</sup> of 4 residential complaints against the premises. The content of the complaints included the following:

1. The premises had been open for 1 week and on 2 occasions the premises had events where loud music was causing a nuisance.
2. The premises are consistently breaching their operating hours and on 2 occasions in the week as late as 11pm. This is as well as opening from approx. 9am (The opening hours of the licence are 11am until 9.30pm).
3. Waste bins being left out on the pavement and over-flowing. (A notice has already been served under S4 of the Prevention of Damage by Pests Act 1949 on the 21<sup>st</sup> Feb 2023)
4. Inconsiderate parking from staff and customers on double yellow lines and blocking driveways.
5. People smoking shisha causing odour nuisance, whilst drinking outside in breach of licence conditions.

Since this date the LOOH team have completed multiple visits to the premise to engage with the Premises Licence Holder (PLH) Salah Henareh and to investigate the alleged unauthorised licensing activities and undermining of the Licensing Objectives.

LOOH have uncovered the following concerns and offences:

- The premises has continuously operated outside of permitted opening hours both in the morning & night.
- The first named DPS [REDACTED] advised LOOH he has never stepped foot inside the premises & had no intention of working at the premises, he was asked by the PLH to be named as DPS as a 'favour'. He has not met staff or given them authority to sell alcohol, nor do they know who he is. No other Personal Licence Holders worked at the premises during his time as DPS.
- The above amounts to a breach of Mandatory Conditions 2a & 3 relating the DPS & the supply of alcohol & a breach of Annex 3 Condition 12 'Between 11am and 9.30pm there shall be a member of staff on the premises who holds a Personal Licence.' All 3 condition breaches are an offence under S136 of the LA2003.
- Repeated breaches of the above 3 conditions in the period between 4<sup>th</sup> & 10<sup>th</sup> November from when [REDACTED] resigned as DPS & the PLH appointing a new DPS.
- Repeated breaches of multiple conditions within Annex 2 & 3 outlined in warning letters exhibited.
- Offences witnessed under the Health Act 2006 in relation to smoke free legislation.
- Floor Plan invalidated.
- The PLH & staff members have continuously misled LOOH officers with false information.
- Outright refusal to comply with Condition 1 of Annex 3 relating to CCTV. CCTV was requested verbally on the 1<sup>st</sup> November & in writing on the 2<sup>nd</sup> to investigate the allegations of unauthorised licensable activity. The PLH did not have any one on site capable of operating CCTV in line with conditions. LOOH returned on the 3<sup>rd</sup> to be advised that a CCTV engineer would need to facilitate this. After over 2 weeks of chasing the PLH for

the CCTV, on the 18<sup>th</sup> November the PLH then advised LOOH that he was waiting for permission from his customers to disclose their images. He added that some men don't like images of their wife shared and that it was their religion.

LOOH followed this up with an email on the 19<sup>th</sup> November explaining that unless the licence is complied with a review would be sought. As of the 29<sup>th</sup> November no response or CCTV has been made viewable almost one month from request.

**The intentional & persistent refusal to provide CCTV to authorities in line with licence conditions is an offence under S136 of the Licensing Act 2003.**

The PLH has made a **wilful disregard to comply with his responsibilities** under the Licensing Act 2003 and has presented himself as untrustworthy and an irresponsible licence holder.

Due to the PLH's choice not to comply with the licence the LOOH team are left with no option than to seek remedial action from the Licensing committee.

**Please tick ✓ yes**

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

**New application representation**

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

x

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**


**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature   
.....

Date 29/11/23  
.....

Capacity  
.....Responsible Authority.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6) Gemma Hunt Licensing & Out of Hours Team Hammerstone Road Depot	
<b>Post town</b> Gorton	<b>Post Code</b> M18 8EQ
<b>Telephone number (if any)</b> 	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> gemma.hunt@manchester.gov.uk	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.