

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:

R P Patel Newsagent
80A Waterloo Street
Manchester
M8 5XF

Premises licence number (if known): 118373

Name of premises supervisor (if known): Merian Umer Fatah

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 serious crime which has occurred at the premises.

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

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.

Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that (a) the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) 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

The premises are situated at 80A Waterloo Street in the Crumsall area area of Manchester and the premises licence was issued on 23/03/2009 . The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Merian Umer Fatah who has held these positions since January 2017 .

On Thursday 14th March 2024 GMP officers executed a warrant under section 8 of the Police and Criminal Evidence Act 1984.

Upon arrival the premises were closed and officers have waited outside until they have seen a person walk up and open the premises. The officers have then approached and entered the premises under the powers of the Warrant. The member of staff has been detained and a search of the premises was then conducted.

An officer has then searched a shopping bag that was next to the counter on the shop floor. In this bag was a handbag that the member of staff admitted to being theirs. Inside this bag a single snap bag of cannabis was found. Also in a cigarette carton belonging to them was a joint containing cannabis.

Officers have then conducted a search of the rear of the premises. Upon entering the rear of the premises, officers have entered a room with no other doors leading further into the address. Whilst in the room, officers have felt the floor beneath them flex and noticed the carpet did not appear "fixed" to the floor. Upon pulling the carpet back, a door to the cellar has been discovered.

Upon entering the cellar, it has been searched. Directly behind the stairs leading down into the cellar, a large plastic container and a large carrier type bag have been noticed, standing out against the various items behind the stairs that appeared to have been untouched in the cellar for some time.

This plastic container and bag have been opened and discovered to contain a significant amount of suspected Cannabis. 30 large sandwich type bags of Cannabis were located in the plastic container and 28 large sandwich type bags were located in the plastic bag.

Whilst GMP were in attendance at the premises, [REDACTED] was contacted several times and advised to present himself to officers at the address but he failed to do so, after stating he would attend.

In the back room of the address, there were 31 x sleeves of cigarettes found, believed to be for selling without paying the appropriate tax on them. In the back room, in the metal cabinet there was numerous items found. In total, 34 snap bags of cocaine, and a block of what is believed to be either Class A drugs or cutting agent, drugs packaging, and scales.

Also recovered during the search was an axe and a ball bearing firing rifle.

2 crimes have subsequently been submitted, one for Possession of Cocaine with Intent to Supply and one for Possession of Class B drugs with Intent to Supply.

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.

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 has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder 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 that serious crime has occurred at the premises.

Chris Downey, Detective Superintendent, City of Manchester police.
19/03/2024

.....
(Signed)

(Date)

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 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.

1. Premises details:

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

**R P Patel Newsagent
80A Waterloo Street**

Post town: Manchester

Post code (if known): **M8 5XF**

2. Premises licence details:

Name of premises licence holder (if known): Merian Umer Fatah

Number of premises licence holder (if known):

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 serious crime which has occurred at the premises.

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

Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that (a) the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) 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

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Upon entering the cellar, it has been searched. Directly behind the stairs leading down into the cellar, a large plastic container and a large carrier type bag have been noticed, standing out against the various items behind the stairs that appeared to have been untouched in the cellar for some time.

This plastic container and bag have been opened and discovered to contain a significant amount of suspected Cannabis. 30 large sandwich type bags of Cannabis were located in the plastic container and 28 large sandwich type bags were located in the plastic bag.

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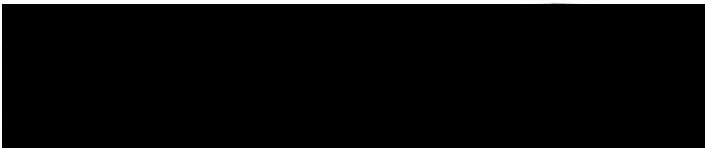
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The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Crime.

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 has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder 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 that serious crime and has occurred at the premises.



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.