

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

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Contact Telephone Number	[REDACTED]

## About the Premises

Application Reference No.	<b>PR202411-1582318</b>
Name of the Premises	<b>Sky Lounge</b>
Address of the premises including postcode	241 Barlow Moor Road, Manchester M21 7QL

## Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the DPS variation of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the DPS variation in relation to the above premises on the grounds of the Prevention of Crime and Disorder.

The person being proposed for this DPS variation, Mr Salah Henareh is the current Premises Licence Holder of this premises and with this application he is seeking to install himself as the Designated Premises Supervisor of the premises. He has already been twice refused at committee of being the DPS at previous hearings in January 2024 and November 2024, so 2 separate licensing subcommittees have already determined Mr Henareh as unsuitable to become DPS.

The premises licence for this premises and, as such Mr Henareh, were subject to review proceedings which were applied for by Manchester City Council Licensing and Out of Hours Team due to the following serious issues:

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.

The review hearing took place on 22<sup>nd</sup> January 2024 and, as a result of this hearing, the Premises Licence was revoked. This decision was appealed by the PLH and therefore the licence is still live and able to be traded on, pending the outcome of the appeal.

Since the date of the revocation and subsequent appeal application there have been more offences discovered by MCC LOOH officers. LOOH visited on 1/10/24 to make Mr Henareh aware that his DPS had resigned & he was found to be smoking shisha with another male in the conservatory whilst it was substantially enclosed again. He was obstructive when spoken to and repeatedly told the LOOH officer that there was no tobacco or coal in the pipe, and that it was electronic. When the officer went to seize the pipe, he admitted there was coal in it. The pipe was not seized as it was too hot to touch.

The previous DPS who has resigned, [REDACTED], has been spoken to by LOOH and he told them that he didn't know he was still DPS. He told them he hasn't worked there since before Christmas 2023. Therefore, the premises have been operating without a DPS present for 10 months.

This means that any sales of alcohol during this time would have been unlawful and Mr Henareh should have been fully aware of this.

██████████ from MCC LOOH and PC ██████████ from GMP Licensing visited Sky Lounge just after 7pm on Friday 18<sup>th</sup> October 2024 and completed a check of a couple of conditions, which were both in breach.

- A member of staff who came to speak with them but was unable to communicate with them in English. Salar, the PLH and proposed new DPS, was not on site. A female staff member tried to translate. Salar and the member of staff continuously telephoned each other which obstructed them trying to communicate with him.
- They checked condition 12 Annex 2 of the premises licence which stipulates a personal licence holder must be on site. No PLH was on site. Salar spoke to ██████████ on the phone & confirmed he is the only personal licence holder. ██████████ explained a PLH must be on site at all times, he responded that he cannot work 7 days per week and has trained all the staff. He said that he told the committee he could not work every day it's too much. They then asked the staff member if they could view the CCTV (Condition 1 Annexe 3) – he said only Salar has access to it.
- Staff confirmed they were currently selling alcohol, and inside customers could be seen drinking what appeared to be pints of lager.

Therefore, GMP have serious concerns as to his suitability to become the Designated Premises Supervisor due to the issues that have already occurred at the premises and his failure to address them and cooperate with MCC Licensing and out of Hours officers. The fact that he has been found to be committing further offences whilst his licence has been revoked and is currently under appeal proceedings is also a cause for serious concern.

**Manchester City Council's own Licensing Policy states:**

***“Where, following an objection by the police, the Licensing Authority are satisfied that the appointment of a person as a Designated Premises Supervisor would undermine the crime prevention licensing objective, the policy is to refuse the appointment or to remove them as the DPS in circumstances where they are already in post.”***

We therefore ask that this DPS variation is refused.