

From: **Premises Licensing** <premises.licensing@manchester.gov.uk>
Date: Wed, 20 Mar 2019 at 16:30
Subject: Notification of decision re 228013/HH1 Summary Review of Premises Licence:
Neighbourhood, Tower 12, Crown Square, Spinningfields, Manchester, M3 3BT -
To: [REDACTED], GMP Licensing
<centrallicensing@gmp.police.uk>
Cc: Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Dear Sir / Madam

LICENSING ACT 2003 (Hearings) Regulations 2005

Notice of decision: Summary Review of Premises Licence

Following the Licensing Sub-committee hearing on , I write to formally advise you of the sub-committee's decision regarding:

Neighbourhood
Tower 12, Crown Square
Spinningfields
Manchester
M3 3BT

The committee have listened to the representations made by

Body/ individual

| | |
|---|----------|
| Applicant (GMP) | X |
| Kuits Solicitors on behalf of the Premises | X |
| Written documentation | X |

and have taken them into consideration.

In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.

Summary of Applicant's Evidence

GMP advised the Committee that they had made an application to summary review the premises following an incident on the 18th March 2019 @ 0125 hours when North West Ambulance Service was called following a report that a male had been stabbed at the premises. The Committee was shown video footage of a disturbance outside the entrance to the premises and footage inside of a man who had been stabbed. Committee was also advised that it was only 12 months ago that the Premises had been the subject of a summary review. GMP requested the Committee to suspend the Premises Licence until a full review could be heard.

Summary of Premises Licence Holder's Evidence

The Solicitors for the premises produced a statement from [REDACTED] East Coast Concepts Ltd, the operator of Neighbourhood, Spinningfields who confirmed that they had closed the premises after the incident. The statement also supported GMP's decision to suspend the licence.

Decision

Suspend the Premises Licence pending the Final Review hearing.

Reasons

The Committee was not satisfied, after hearing all representations made and viewing the video footage presented by GMP, that the Premises would be capable of upholding the licensing objectives. It was satisfied that the suspension was necessary to prevent serious crime or serious disorder occurring pending a full review. In arriving at its decision the Committee considered the Council's Statement of Licensing Policy, s182 guidance made under the Licensing Act 2003. Furthermore, for the purpose of Section 53B (5)(b) of the Licensing Act 2003 immediate notice of its decision was given orally to GMP and to the Premises Licence Holder.

The holder of the premises licence may appeal any decision to:

- Refuse the application
- Impose conditions on the licence
- Exclude a licensable activity
- Refuse to nominate someone as a Designated Premises Supervisor
- Modify conditions attached to a licence (where the application is a variation)

Any person having made relevant representation against the application may appeal the decision if they believe that:

- The licence should not have been granted
- A licensable activity should have been excluded
- Different or additional conditions should have been attached by the Licensing Authority
- A Designated Premises Supervisor should not have been nominated
- The conditions attached to the licence should not have been modified or should have been modified in a different way (where the application is a variation)

Any appeal must be made to Manchester City Magistrates' Court, Crown Square, Manchester, M60 1PR (tel 0161 830 4200) and must be commenced within the period of 21 days beginning with the day on which you were notified by the licensing authority of the decision, as provided for in Section 181 of the Licensing Act 2003.

Please note, the licensing decision is separate from any planning decision; *the licensing decision does not confer planning consent*. Please ensure you have the proper planning consent before commencing trading.

Should you require any further information, please contact the undersigned on 0161 234 4294.

Yours faithfully

Helen Howden, Premises Licensing Team

An Application for a Summary Review under s.53A of the Licensing Act 2003

Greater Manchester Police

&

East Coast Concepts Limited

Interim Steps Hearing: Tuesday 19 March 2019

Statement of [REDACTED]

My name is [REDACTED] I am [REDACTED] of East Coast Concepts Ltd, the operator of Neighbourhood, Spinningfields.

I am in receipt of the Summary Review application lodged on 18th March 2019 by Greater Manchester Police.

I intend to attend the hearing scheduled for Tuesday 19th March with my solicitor, [REDACTED] and [REDACTED]

Since the incident which gave rise to these proceedings occurred, my team have worked tirelessly to understand the circumstances surrounding it and undertaken a full review of the events leading up to it. We have worked closely with Greater Manchester Police and provided them with all the information they have requested, including CCTV footage.

The decision was taken by us to close the premises immediately after the incident. We also took the decision to remain closed throughout Sunday and the premises has not reopened since.

We are confident, following the investigations we have undertaken so far, that as a company we did all that we could to prevent the incident from occurring. In due course we will present our findings to the Committee.

However, we wish to continue to work in partnership with the Police as we have done over the last 12 months. With that in mind, I can confirm that we will not, at the Interim Steps hearing on 19th March, be asking the Committee to allow the premises to remain open. We do not oppose the request made by Greater Manchester Police to suspend our licence at this time.