

**Witness Statements**  
(Criminal Procedure Rules, Part 27)

**Statement of witness**

*(Criminal Procedure Rules, r27.1 (1);  
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s.5B)*

**STATEMENT OF Devon Bennett**

Age of witness: Over 18

Occupation of witness: **Licensing and Out of Hours Compliance Officer**

This statement consisting of 2 pages, signed by me and is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

I am employed by Manchester City Council as a Licensing and Out of Hours Compliance Officer. Parts of my duties include the enforcement of Section 136, 137 and 138 of the Licensing Act 2003 in relation to the offence of Unauthorised Licensable Activities; Exposing Alcohol for Unauthorised Sale and Keeping Alcohol on the Premises for Unauthorised Sale.

On the 30<sup>th</sup> May 2019, Manchester City Council's Premises Licensing Team took receipt of a Late Temporary Event Notice from [REDACTED]. The event was proposed to take place at the Church Uni 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT for 8<sup>th</sup> to 9<sup>th</sup> June 14:00 – 04:30 and the 9<sup>th</sup> to 10<sup>th</sup> June 14:00 – 04:30 for a 'Event BBQ party, birthday parties, weddings, christening ,etc'. (Copy of TEN Exhibited as DB01)

On the 31<sup>st</sup> May 2019 PC 17659 Alan Isherwood, issued an objection to the Late Temporary Event Notice under Section 104(2) of the Licensing Act 2003. (Copy of Objection exhibited at DB02)

On the 3<sup>rd</sup> June 2019, Manchester City Councils Premises Licensing Team issued a Counter Notice to [REDACTED] under Section 104A of the Licensing Act 2003 which stated that due to the objection by GMP, the temporary event applied for could not go ahead. (Copy of Counter Notice Exhibited as DB03)

On the 9<sup>th</sup> June 2019 at 00:07hrs, Manchester City Council's Licensing and Out of Hours Compliance Officers visited the Church, Unit 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The visit was requested by myself to ensure that the event did not go ahead. The officers noted that there was a large event taking place at the premises and observed a number of licensable activities taking place.

Officers spoke to two females who claimed to be in charge of the event. One of those spoken to was [REDACTED] whilst the other was [REDACTED] who is a [REDACTED]. This individual has previously been in attendance when offences had been witnessed

and has also been issued verbal warnings on each offence date and written warnings.

Whilst Officers were in attendance they witnessed Licensing Act 2003 Offences taking place and therefore a criminal investigation is now underway. The facts and matters set out in this statement were compiled from documents held by the Authority. The documents to which I have referred form part of the Authority's records maintained in the course of its profession. These records were compiled by people who had or may reasonably be supposed to have had, personal knowledge of the matters dealt with in the course of their profession but of which those people cannot reasonably be expected to have recollection of those matters having regard to the time which has elapsed since they created the document and to all the relevant circumstances.

Dated: 10th June 2019

Signed:

A black rectangular redaction box covering the signature of the officer.

*Formerly form 13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act 1980.*

# Temporary Event Notice

Payment Transaction number:- ASA/403813 | Form Reference number ASA/3142261

## Premises User Information

Title

██████

If other please state

Greater Manchester

Surname

██████

Forenames

██████

Previous names (Please enter details of any previous names or maiden names, if applicable)

*n/a*

Your date of birth

██████████

Your place of birth

██████

National Insurance Number

██████████

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

██████████

██████

Telephone

██████████

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

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## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

Unit 9 Vaughan Industrial estate.  
Vaughan Street  
M12 5BT  
Gorton

Premises licence number

n/a

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

Events, Charities programmes, Church meetings and different type of events

Please describe the nature of the event

Event BBQ party, birthday parties, weddings, christening ,etc

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## Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

Yes

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

Yes

Please state the dates on which you intend to use these premises for licensable activities.

7th June 2019

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

14:00 to 04.30

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

250

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

Off

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

*n/a*

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## Personal Licence Details

Do you currently hold a valid Personal Licence?

No

Issuing Authority

*n/a*

Licence Number

*n/a*

Date of Issue

*n/a*

Date of Expiry

*n/a*

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

## Declaration and Payment New

Name

[REDACTED]

Capacity in which you are making this application

I will like to have it within the week of the date stated for the licence

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## Additional information

I\_understand

Yes

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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

[REDACTED]>  
Date: Thu, 30 May 2019 at 12:54

Subject: Re: Submission of TEN: Unit 9 Vaughan Industrial estate. Vaughan Street M12 5BT Gorton, 7th June 2019, ASA/3142261

To: Premises Licensing <premises.licensing@manchester.gov.uk>

It's both on the premises. Thanks

On Thu, 30 May 2019, 12:46 Premises Licensing, <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:

Hello [REDACTED]

You have also put that alcohol will be for consumption off the premises. Surely people will be drinking the alcohol at the event so you should have put "On" or "both on and off the premises". Please confirm which you require.

Regards

Patrick

----- Forwarded message -----

From: **Premises Licensing** <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Date: Thu, 30 May 2019 at 12:34

Subject: Fwd: Submission of TEN: Unit 9 Vaughan Industrial estate. Vaughan Street M12 5BT Gorton, 7th June 2019, ASA/3142261

To: <[REDACTED]>

Dear [REDACTED]

Further to our telephone call, please confirm the following by replying to this email:

The premises is a church and church hall.

The part of the premises where the event will take place is the Church Hall.

The event will start on 8th June 2019 **(Please confirm finish date and finish time on 9th or 10th)**

There will be a party and barbecue starting at 1400 and finishing at 0430 on 9th June.

There will be a second party starting on 9th June **(Please confirm start time and finish time)**.

Regards

Patrick Ware

0161 234 4858

GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Town Hall Extension

To: [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

31<sup>st</sup> May 2019

Dear Madam,

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **LATE TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Prevention of Crime and Disorder and the Prevention of Public Nuisance Objectives.

<b>PREMISES NAME:</b>	Church Hall
<b>ADDRESS:</b>	Unit 9 Vaughan Street Industrial Estate Vaughan Street Manchester M12 5BT
<b>DATE OF EVENT:</b>	08/06/19 – 10/06/19
<b>TIME OF EVENT:</b>	1400 – 0430hrs

**This is a Late TEN submission.**

Greater Manchester Police have already dedicated resources to safely police the area over this period and by allowing this Temporary Event will mean that Police resources will be stretched even further and, because of the late notification for the event, there is insufficient time for the local officers to factor this event into their patrol plan.

Therefore Greater Manchester Police ask that this Late application is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 31/05/19.....1840 hrs



MANCHESTER  
CITY COUNCIL

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004

premises.licensing@manchester.gov.uk

Level 1 Town Hall Extension, Albert Square

PO Box 532, M60 2LA

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

3 June 2019

Ref: LT7232671

[REDACTED]

Subject line: Counter Notice following objection to Late Temporary Event Notice – TEN ref 232671/AM2: Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT, from 8 June 2019 to 10 June 2019.

Dear Sir / Madam

**COUNTER NOTICE (LATE TEMPORARY EVENT NOTICE)**

**Premises name:** Church Hall

**Premises address:** Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

On 31 May 2019 Manchester City Council Licensing Unit received from [REDACTED] a late temporary event notice in respect of proposed temporary licensable activities due to take place on 8 June 2019 to 10 June 2019 at Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT.

Please be advised that the Licensing Unit has received an objection under section 104(2) of the Licensing Act 2003 ("the Act").

Where an objection notice is given in respect of a late temporary event notice the Licensing Unit must give the premises user a counter notice under section 104A of the Act. The counter notice is enclosed with this letter.

**The serving of a counter notice means the event cannot take place.**

Should you require any further information, please contact the undersigned on 0161 234 4139.

Yours faithfully

Ashia Maqsood

**Counter Notice (Late Temporary Event Notice) – Permitted Temporary Activities**

On 31 May 2019 the licensing authority received from you, [REDACTED], a late temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 8 June 2019 to 10 June 2019 at Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”).

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	<b>X</b>
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the late temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

<b>Signature:</b>	On behalf of the licensing authority	<b>Date:</b>	
<b>Name of Officer signing:</b>			