



Expedited Review Application - Schedule 8A

Application for the review of a premises licence under section 53A of The Licensing Act 2003 (premises associated with serious crime, serious disorder or both)

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, Police Constable 1684 Tony FARRELL,

On behalf of the chief officer of police for Oldham District, Greater Manchester Police, apply for the review of a premises licence under section 53A of the Licensing Act 2003.

Postal address of premises:

Vibez 924, 101 Yorkshire Street,

Post town: Oldham

Post code: OL1 3SY

Name of premises licence holder: Henry Okere

Premises licence number: PL005

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 disorder and the certificate accompanies this application.

(Please tick the box to confirm)

Details of association of the above premises with serious disorder: [Please read guidance note 2]

Greater Manchester Police have received evidence of serious disorder at the premises Vibez 924, 101 Yorkshire Street, Oldham, OL1 3SY

In the early hours of Friday 18th January 2019 there was a disturbance on Horsedge Street involving patrons of Vibez 924 Nightclub. Two males can be seen on Council CCTV come out of the front entrance to the club where people generally smoke. Moments later they are joined by a third male from within Vibez 924, there is an exchange of words before the third male assaults one of the first two males.

The footage shows the third male making off up Yorkshire Street chased by the first two. All three disappear out of sight. A short time later the first two males return to Vibez and after a brief conversation with door staff they are allowed back into the club.

Minutes later the third male can be seen walking down Horsedge Street towards the entrance to Vibez then standing in the doorway to the club, behind his back he is now holding what appears to be two meat cleavers, one in each hand.

The CCTV from within the venue shows him entering the doorway walking up a short flight of stairs and standing at the entrance to the nightclub whereby some kind of verbal exchange (no sound) can be seen between him a member of door staff and patrons of the club including the first two males that he had been fighting with.

The male subsequently leaves the club walking off out of sight. Moments later he is followed by the first two males and other patrons of the club who try to find him but are unsuccessful.

The police arrive and all parties return into the nightclub.

At 03:38 hours a male who is not involved in the earlier incidents can be seen being ejected by door staff (this male is in company with another male and two females). There appears to be a dispute about what has gone on inside the club and as more people exit the club the incident begins to escalate.

This male's friend then leaves before returning a short time later in a vehicle. There are now lots of people in the middle of the highway at this time and the male begins driving the vehicle in an erratic manner towards members of the public who are engaged in dispute.

This male that has subsequently been ejected is then attacked by one of the two males that was involved in the very first disturbance and several other males join in. A female can be seen to try to assist the male that is being attacked and during the disturbance she is knocked to the floor directly behind the vehicle. At the same time the male driving the car reverses suddenly colliding with this female and she narrowly escapes without injury.

The male in the car reverses into a nearby lamppost before making off up Yorkshire Street the wrong way with his rear offside door open.

A short time later he is detained by the police.

It is the view of the licensing officer that the door staff should have taken more positive action from the outset and refused entry to ALL persons involved in the original disorder. That way it would have been reasonable to suggest that the incident involving the vehicle would not have happened as it was the same male involved in both incidents.

On the 4th January this year the Designated Premises Supervisor Yolanda Blades reported to the police licensing officer that a male had tried to gain access to the premises after their last entry time of 03:00 and when refused by door staff he stated that he had a knife. The police were called and when they attended the male managed to make off in a vehicle.

There is a history of disorder at this premise and whilst in recent months the Premises Licence holder Mr Okere has been working with the police to try and improve matters it is clear by this latest incident that these attempts at improvement are failing.

Greater Manchester Police request that the licensing authority consider the suspension of the premises licence until the full review is heard before the committee.

Signature of applicant:

Date: 23/01/2019.....

Capacity / role: Licensing Officer, Oldham

Contact details for matters concerning this application: P.C. 1684 Tony Farrell

Address: Sir Robert Peacock House, Vulcan Street, Oldham

Telephone number(s): 0161 856 9069

Email: Tony.Farrell@gmp.police.uk

Greater Manchester Police
Oldham Police Station,
Barn Street,
Oldham,
OL1 1LR

Annex B

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 disorder.

Vibez 924,
101 Yorkshire Street,
Oldham,
OL1 3SY

Premises licence number: **PL005**

Name of premises supervisor: Yolanda Blades

I am a Superintendent in the Greater Manchester Police.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁶:

In the early hours of Friday 18th January 2019 there were two incidents of serious disorder outside Vibez 924, 101 Yorkshire Street, Oldham, OL1 3SY.

The first involved a fight between patrons of the venue during which a male was chased off before returning to the venue and entering brandishing two meat cleavers. Whilst this incident passed without injury to any member of the public the unlawful carrying and use of a bladed article that is clearly being used as a weapon, puts all persons present at risk of serious injury or worse.

The second incident involved a male being ejected from the venue and the dispute continued outside which escalated into violence in the middle of the public highway whereby a female was hit by a vehicle being driven very erratically by a male as a direct result of the disturbance that was ongoing. It can only be down to sheer good fortune that this female was not seriously injured or worse.

There is a history of problems involving public disorder emanating from this premise. On the 4th January this year the Designated Premises Supervisor Yolanda Blades reported to the police licensing officer that a male had tried to gain access to the premises after their last entry time of 03:00 and when refused by door staff he stated that he had a knife. The police were called and when they attended the male managed to make off in a vehicle.

In an attempt to address these problems the Premises License holder has been working with the local authority and police licensing, however it is clear that this is failing.

The incident which occurred on Friday 18th January 2019 raises concerns over the management of the premises and the ability of the Premises Licence Holder and Designated Premise Supervisor to promote the licensing objectives.

I have considered all powers available and feel that closure powers contained within Section 76 of the Anti-Social Behaviour, Crime & Policing Act 2014 are inappropriate due to the limited 48-hour closure not being sufficient to protect the public.

Section 51 of the Act in addition to the above is inappropriate due to the serious nature of this disorder and the likelihood that it may continue when the premise is next open.

The powers contained under Section 53A the Licensing Act 2003 are appropriate to be exercised due to the above previously mentioned powers being inappropriate for the purposes of this review. There are real serious and immediate concerns that the mis-management of the premises is failing to promote the licensing objective of the prevention of crime and disorder.

By failing to promote this licensing objective it has led to serious disorder occurring at this premise and the risk of serious injury to a patron of the premises.

There is no definitive list of behaviours that constitute serious disorder, and the matter is one for judgment by the local police. The incidents which occurred at the premises led to an number of patrons from the premises assaulting another lone individual whilst a car was being driven erratically and at people within the vicinity of the premises, I would consider this to be serious disorder emanating from the premises.

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. At that time all matters can be fully addressed whilst being able to consider all the necessary evidence.

Supt D Inglis
Oldham District
23/01/2019

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³ Delete as applicable.

⁴ Include business name and address and any other relevant identifying details.

⁵ Insert rank of officer giving the certificate, which must be superintendent or above.

⁶ 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.