



## SPEAKERS PANEL (LIQUOR LICENSING)

**Day:** Wednesday  
**Date:** 7 July 2021  
**Time:** 10.30 am  
**Place:** Zoom meeting

Item No.	AGENDA	Page No
1.	<b>APOLOGIES FOR ABSENCE</b> To receive any apologies for absence.	
2.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest.	
3.	<b>APPLICATION FOR AN EXPEDITED REVIEW OF A PREMISES LICENCE (INTERIM STEPS DECISION) - THE SNIPE INN, 387 MANCHESTER ROAD, AUDENSHAW</b> To consider the attached application for an Expedited Review of a premises Licence (Interim steps decision).	1 - 8

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# Agenda Item 3

<b>Report To:</b>	<b>SPEAKERS PANEL (LIQUOR LICENSING)</b>
<b>Date:</b>	7 July 2021
<b>Executive Member / Reporting Officer:</b>	Emma Varnam – Assistant Director, Operations and Neighbourhoods
<b>Subject:</b>	<b>APPLICATION FOR AN EXPEDITED REVIEW OF A PREMISES LICENCE (INTERIM STEPS DECISION) – THE SNIPE, 387 MANCHESTER ROAD, AUDENSHAW, M34 5RP</b>
<b>Report Summary:</b>	Members are requested to decide what, if any, interim steps to take in respect of the application
<b>Recommendations:</b>	<p>Having regard to the application from Greater Manchester Police, Members are requested to decide what, if any, interim steps to take as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none"><li>a) Modification of the conditions of the licence</li><li>b) The exclusion of the sale of alcohol by retail from the scope of the licence</li><li>c) Remove the designated premises supervisor</li><li>d) The suspension of the licence.</li></ul>
<b>Links to Corporate Plan:</b>	Living Well – Improve satisfaction with local community
<b>Policy Implications:</b>	Members are provided with policy guidelines to assist in the decision making process.
<b>Financial Implications:</b>	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
<b>(Authorised by the Borough Treasurer)</b>	
<b>Legal Implications:(Authorised by the Borough Solicitor)</b>	<p>Any decision to impose interim steps following an application for an expedited review may be challenged by way of representations from the premises licence holder (in the first instance) to the Speaker's Panel (Liquor Licensing).</p> <p>In exercising its powers under the Licensing Act 2003 the Panel will have regard to the Summary Review Guidance issued by the Home Office</p>
<b>Risk Management:</b>	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety, and also the right of an individual to earn a living
<b>Access to Information</b>	<p>The author of the report is Mike Robinson, Regulatory Services Manager (Licensing):-</p> <p> Telephone - 0161 342 4122</p> <p> e-mail: <a href="mailto:mike.robinson@tameside.gov.uk">mike.robinson@tameside.gov.uk</a></p>

## 1. INTRODUCTION

- 1.1 Section 53A of the Licensing Act 2003 outlines the procedure whereby the police may apply to the Licensing Authority for an expedited review of a premises licence.
- 1.2 Section 53A of the Licensing Act 2003 requires the licensing authority, on receipt of an application for an expedited review, within 48 hours of the time of its receipt, to consider under section 53B whether it is necessary to take interim steps pending the determination of a review of the premises licence.
- 1.3 The interim steps the licensing authority must consider taking are:
  - (a) The modification of the conditions of the premises licence;
  - (b) The exclusion of the sale of alcohol by retail from the scope of the licence;
  - (c) The removal of the designated premises supervisor from the licence,
  - (d) The suspension of the licence.

## 2. REPORT

- 2.1 At approximately 06:00 on Tuesday 6 July 2021, Greater Manchester Police executed search warrants at a number of premises linked to the tenant of The Snipe Inn, 387 Manchester Road, Audenshaw. One of the addresses searched was The Snipe Inn.
- 2.2 During the search of the premises, Officers found a cannabis farm in the upstairs accommodation of the premises with ten mature plants being grown. The electricity meter has been bypassed and a substantial sum of money has been seized by Police.
- 2.3 The Designated Premises Supervisor, Geoffrey Lee, who resides on site at The Snipe, 387 Manchester Road, Audenshaw was present at the premises at the time the warrant was executed. Mr Lee is currently in custody having been arrested for being concerned in the production of controlled drugs.
- 2.4 Greater Manchester Police have concerns that the management of the premises are failing to promote the licensing objective of the prevention of crime and disorder due to serious crime regarding the cultivation of Cannabis being present on the premises.
- 2.5 At approximately 12:50pm on Tuesday 6 July 2021, PC Martin Thorley from Greater Manchester Police submitted an application to the Licensing Authority for an expedited review of the premises licence in accordance with s53A of the Licensing Act 2003. A copy of PC Thorley's application is attached at **Appendix 1**.
- 2.6 In addition, PC Thorley also submitted a certificate in accordance with s53A(1)(b), signed by Superintendent Rachael Harrison, to the effect that the premises is associated with serious crime. A copy of the certificate is attached at **Appendix 2**.

## 3. CONCLUSION AND OPTIONS FOR THE PANEL

- 3.1 Panel are requested to consider whether it is necessary to take interim steps pending the determination of a full review hearing, which is required to take place within 28 days of the submission of the application.
- 3.2 The interim steps the licensing authority must consider taking are:
  - (a) The modification of the conditions of the premises licence;

- (b) The exclusion of the sale of alcohol by retail from the scope of the licence;
- (c) The removal of the designated premises supervisor from the licence, (d) The suspension of the licence.

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## 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 14627 Martin Thorley,

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

Postal address of premises, (or if none or not known, Ordnance Survey map reference or description):

The Snipe, 387 Manchester Road, Audenshaw.

Post town: Audenshaw

Post code (if known): M34 5GT

Name of Premises License holder: Frederic Robin Ltd, Unicorn Brewery, Lower Hillgate, Stockport SK1 1JJ

Premises licence number (Local Authority reference): PL0397

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 serious disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

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

Greater Manchester Police have evidence of serious crime at the premises.

As a result of intelligence received, search warrants have been obtained under s8 PACE and s23 MODA, for addresses linked to [REDACTED]. One of these addresses included The Snipe Inn, 387 Manchester Road, Audenshaw, M34 5RP.

At approximately 0600hrs on Tuesday 6<sup>th</sup> July 2021 the search warrants were executed at three addresses by Officers from Greater Manchester Police.

The Snipe Inn premises has been searched. During the search of the premises it was found that there was a cannabis farm on the premises with ten plants being grown. The electricity meter has been bypassed and a substantial sum of money has been seized by Police.

The Tennant at The Snipe Public House is [REDACTED] who is the [REDACTED]. Both [REDACTED] and [REDACTED] reside locally, though not at The Snipe, 387 Manchester Road, Audenshaw. It is known that [REDACTED] is heavily involved in day to day operations at the premises.

The Designated Premises Supervisor is Geoff Lee who resides on site at The Snipe, 387 Manchester Road, Audenshaw. Geoff Lee was on site at The Snipe at the time the warrant was executed and is currently in custody having been arrested for being concerned in the production of controlled drugs.

This investigation is currently in its infancy, though there were also positive results at the other related premises and police enquiries are continuing.

As this premise has been found to have been used for the cultivation of Cannabis and is currently a Public House which trades seven days per week and is occupied and managed by the current DPS and tenant, there can be no doubt that the cultivation of Cannabis has been undertaken with the full knowledge of both the tenant and the Designated Premises Supervisor. The cultivation of Cannabis is deemed to be a serious offence and is a clear breach of the Licensing Objectives.

Given the involvement of the arrested person in the day to day running of these premises there is an immediate risk of further criminality taking place at the Licensed Premises if it was to remain open.

Previously, there have been concerns over the management of the premises, including during the Health Protection Regulations restrictions where the management of the premises failed to ensure effective social distancing controls were in place and manage the behaviour of customers on the premises in order to prevent the spread of coronavirus.

Despite previous attempts to engage with the DPS and management of the premises to ensure that the premises was compliant with the regulations, the appropriate action was not taken. This resulted in a Direction Notice being served by the Council, requiring the premises to close on 16 October 2020. The premises remained closed until 12 April 2021.

On 3 February 2021 a meeting took place with representatives of Frederic Robinsons Ltd (PLH) which resulted in a change of DPS being applied for on 1<sup>st</sup> March 2021. It is to be noted that the old DPS remained as tenant despite the concerns raised by the Authorities.

Ahead of reopening the premises, I met with the Business Development Manager, Tony Massey and Geoff Lee on 7 April 2021 in an attempt to engage with and work with all parties involved in the running of the premises and discuss the plans for moving forward, given the appointment of the new DPS.

Further meetings have taken place on Tuesday 22<sup>nd</sup> June 2021 where I met with the Business Development Manager at Frederic Robin Ltd, Unicorn Brewery, Lower Hillgate, Stockport, where the following (two separate) crimes, which occurred at the premises, were discussed.

Log 2805-29052021 CRI/06GG/0011334/21 refers to an incident at the Pub where Police have attended as a result of a 999 call to fighting in the beer garden of the premises. A male was assaulted in an unprovoked assault which turned into a brawl. The victim received S.47 level injury to the head. CCTV in relation to this incident has been seized.

Log 2782-12062021 and CRI/06GG/0012584/21 Officers come across large scale fight involving 30+ people and all parties refuse to engage. A Witness to incident later calls the Police to state they saw a male involved be purposely hit by a vehicle. A crime for a Section 18 - grievous bodily harm with intent has been submitted. CCTV in relation to this incident has been seized.

On Tuesday 29<sup>th</sup> June 2021 Rebecca Birch from TMBC and I attended at the Snipe where we met with Tony Massey, the tenant and the DPS. During this meeting I expressed my concerns about the recent incidents at the premises and the fact that previously volunteered door staff had been removed from the premises. It is the case that when the previous DPS was in post that there were a number of door staff volunteered who were seen to be present at the premises on key dates and weekends. These door staff were removed on the appointment of Geoff Lee for what are described as financial reasons. The PLH was not in support of re-introducing door staff for weekends and key days.

Given the results of the search warrant I now have additional concern that this premises will become a focal point for reputations and reprisals giving rise to further incidents of serious crime and disorder and putting the safety of members of the public at risk.

In order to ensure the licensing objectives and the prevention of crime and disorder is being promoted, 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:  PC 14627

Date: 6th July 2021

Capacity / role: Licensing Police Officer, Tameside

Contact details for matters concerning this application: P.C. 14627 M. Thorley

Address: Ashton Police Station, Manchester Road, Ashton U Lyne.

Telephone number(s): 0161 856 9484

Email: g.licensing@gmp.police.uk



## ANNEX B

Greater Manchester Police  
 Ashton Police HQ  
 Manchester Road  
 Ashton under Lyne  
 OL7 0BQ

**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 disorder~~<sup>1</sup>.

*Premises*<sup>2</sup>:

The Snipe,  
 387 Manchester Road  
 Audenshaw  
 Tameside  
 M34 5GT

Premises licence number (if known): PL0397

Name of premises supervisor (if known): Geoff Lee

I am a Chief Superintendent Rachael Harrison<sup>3</sup> 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, because<sup>4</sup>:

Greater Manchester Police have evidence of serious crime at the premises. A search warrant under s8 PACE and s23 MODA has been executed at the Snipe Inn, 387 Manchester Road, Audenshaw, M34 5RP.

The Designated Premises Supervisor, Geoff Lee was at the premises at the time the warrant was executed and is currently in custody having been arrested for being concerned in the production of controlled drugs.

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> 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.

*[Handwritten Signature]*

6/7/2021

(Signed)

(Date)

Chief Superintendent R HARRISON.