

**LICENSING ACT 2003****Representation Re Application For Premises License**

From:	The Licensing Section, Tameside Metropolitan Borough Council
To:	The Licensing Section, Tameside Metropolitan Borough Council
Date:	8 <sup>th</sup> July 2019
	Angel Hotel, 147 Hyde Road, Denton, M34 3DW
Date of Application:	13 <sup>th</sup> June 2019

The Licensing Authority, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, submit this representation to support the review application submitted by Greater Manchester Police in respect of the above premises.

The reason(s) for the objection are as follows:

The management of the premises has failed to ensure the promotion of the licensing objectives namely; Prevention of crime and disorder, the prevention of public nuisance and public safety.

The Angel Hotel, 147 Hyde Road, Denton, M34 3DW, has held a Premises Licence since 3<sup>rd</sup> June 2005. The current Premises Licence Holder (PLH), Matthew Bonilla has been the Premises Licence Holder since 12<sup>th</sup> January 2015. Sheila Bonilla was the previous Designated Premises Supervisor (DPS), Shelia Bonilla was in this this role since 27<sup>th</sup> September 2018 until 18<sup>th</sup> June 2019.

Jeanette Potts is the current DPS following an application to vary the DPS on 18<sup>th</sup> June 2019.

This premises was previously reviewed on 14<sup>th</sup> December 2010 and conditions attached to the premises licence following a hearing.

The Licensing Department and Greater Manchester Police have worked with the current management with a view to remedy the growing number of incidents relating to this premise.

On 15<sup>th</sup> July 2018 a serious incident of crime and disorder took place at the premises involving three males who entered the premises and attacked a customer with a machete. Following the incident a meeting was held on 20<sup>th</sup> July 2018 between Police Licensing Officer - Mark Casey, Regulatory Compliance Officer – Gemma Lee and the PLH and DPS at the time, Matthew Bonilla. This meeting held to propose conditions on the licence to improve the promotion of the licensing objectives. As a result the Licensing Department received a Minor Variation application to attach conditions that had been deemed appropriate to promote the four licensing objectives, namely;

- CCTV
- Incident Book
- Drug Policy
- Challenge 25
- Refusals Book
- Staff Training
- List of Authorised Persons

On 24<sup>th</sup> September 2018, Mr Bonilla was contacted by the Licensing Department to discuss complaints that had been received by the Council from local residents relating to noise and anti-

social behaviour, including the use of drugs by customers of the Angel Hotel. Mr Bonilla reassured the authorities that he will write to local residents within the vicinity of the premises to provide contact details to repeat any concerns directly to the PLH.

Following an event that took place on the 5<sup>th</sup> May 2019, the Licensing Department received complaint from a local resident relating to a noise nuisance, drug taking and anti-social behaviour. A meeting was held on 9<sup>th</sup> May 2019 between Police Licensing Officer – Martin Thorley, Regulatory Compliance Officer – James Horton and [REDACTED], as the PLH and DPS, Matthew Bonilla was away on holiday. The recent complaints and incidents that have taken place at the premises were discussed; [REDACTED] assured the authorities that management were doing everything they could to deal with the issues.

On Friday 7<sup>th</sup> June 2019 an incident of serious crime and disorder occurred at the premises involving numerous patrons from within the premises. During this incident two female members of staff had been present at the venue. The DPS and PLH had not been on site during the incident. Furthermore, 2-3 knives had been witnessed being used by a known offender involved in the altercation. This resulted in two section 18 assaults being logged with Greater Manchester Police, both of which are still currently being investigated. In addition, glasses which had been taken outside the premises by patrons were used as weapons in this incident. This indicates poor control by the management to prevent customers taking glasses outside.

A compliance visit was carried out on 10<sup>th</sup> June 2019 at the premises by Regulatory Compliance Officer, James Horton. The visit identified some issues, mainly the CCTV position of camera four overlooking the bar area and concerns on glass collections. Also during the inspection it was noted the absence of any recordings relating to Annex 2, Condition 5 within the premises licence. This specific condition imposed on the licence states;

*'The DPS or the personal licence holder nominated in his/her absence must conduct external assessments of the noise being omitted from the premises at least every hour when regulated entertainment is taking place. A written record of all such assessments must be kept on the premises to include the times, dates, positions, results and names of the person/s undertaking the assessments. Any remedial action taken must also be recorded. These records are to be made available for inspection by any responsible authority on request.'*

This condition was imposed to help remedy anti-social behavior and potential noise nuisance emanating from the premises. However, since the review application submitted by Greater Manchester Police the Licensing Department has continued to receive complaints from local residents regarding anti-social behaviour and noise nuisance emanating from the premises. The Licensing Officer has attempted to contact the newly appointed DPS on several occasions to bring these matters to their attention. However, these calls have gone unanswered.

On 5<sup>th</sup> July 2019 a compliance visit was carried out at the premises by a Regulatory Compliance Officer. The current DPS, Jeanette Potts was not on site during the visit and was working at the Jolly Hatters in Haughton Green. The persons spoken to were members of staff [REDACTED] and [REDACTED]. Two breaches of licence conditions were found, namely;

*'No amplified music shall be played or relayed into the outside drinking area at any time'*

*'Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.'*

Whilst the Premises Licence Holder, Mr Matthew Bonilla has always appeared to show the will to work with authorities and debate issues with a view to remedy them, there has been an ever

growing accumulation of incidents relating to the premises and the severity of these issues has escalated.

The Licensing Department fully supports the application made by Greater Manchester Police, it has lost faith in the management of these premises to effectively promote the licensing objectives and therefore request that the premises licence be revoked.

Signed:           J M Horton          

Name:           JAMES MICHAEL HORTON          

