

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 disorder¹.

*Premises*²:

The Owd Joss
81 Market Street
Hyde
Tameside
SK14 2QT

Premises licence number (if known): PL0329

Name of premises supervisor (if known): Sean Wilkinson

I am a Superintendent³ 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, because⁴:

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

At approximately 1630hrs on Monday 13th July 2020 an altercation occurred inside The Owd Joss, 81 Market Street, Hyde between a male and another customer. The male offender has been seen to punch the victim once to the face causing him to fall to the floor and lose consciousness. Whilst he lay unconscious on the floor the offender is seen to stamp on the head of the victim.

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

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

⁴ 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.

Other customers stood by whilst this assault took place.

The offender is then seen to threaten customers and staff that “no-one needs talk about this and not to tell the police nothing” and that if calls are made to the Police he “will be back to tear the pub up and burn the pub down”.

One 999 call was made to North West Ambulance Service informing them of the assault taking place. As a result of this call the Ambulance Service informed Police at 1644hrs that the Ambulance required assistance and that a 25 year old male was not conscious but was breathing. His injuries were unknown and the offender was believed to still be on scene.

Police officers made their way to the premises during which time the offender to the assault fled the premises, having made threats to witnesses and staff.

Upon police officers arriving at the scene the victim was identified as a person who is currently banned from participating Pub Watch premises in Tameside until 09/07/23. There is a condition of the Premises Licence of the Owd Joss that the DPS will be a member of the Local Pub Watch. The DPS and /or staff have not attended any meeting and have refused to engage with Pub Watch.

The attending Police Officer approached and spoke with the lone member of bar staff and immediately formed the opinion that the staff member was extremely intoxicated, argumentative and obstructive. The member of staff was later sent home from duty and informed if she turned up for work after drinking any alcohol again, she would be dismissed immediately.

Requests were made by attending Police Officers to view the Covid 19 track and trace records for the premises in an attempt to identify the offender. There were no records at all in relation to any attending customer from opening until the Police attending.

The victim of this assault is believed to still remain in hospital and is being treated for his injuries.

The victim refused to cooperate with Police and would not assist with any enquiries.

Officers have viewed the footage of the CCTV at the premises which shows the assault taking place.

This investigation is currently in its infancy and police enquiries are continuing to trace a suspect for this serious incident. The offender is known to Police and has previously been linked to organised criminality. There is little doubt that the incident inside the premises is a serious assault resulting in potentially serious injuries.

There is a concern over the management of the premises and their capability to run a safe venue for members of the public to visit. The pub have failed to comply with guidelines in relation to Covid 19 and failed to safeguard the customers which lead to this assault taking place. The threats by the offender also make the premises vulnerable if it was to remain open.

There is an 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.

The incident of serious crime which occurred is a section 18 Assault - GBH and I am satisfied that the conduct constitutes an offence for which a person aged 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 or more years as per section 81(3) Regulation of Investigatory Powers Act 2000 (RIPA 2000).

I have considered all powers available under the Licensing Act 2003 and feel that a Closure Order under Section 160 of the Act is inappropriate due to the limited 24hr closure not being sufficient to protect the public.

Section 161 of the Act is inappropriate as further action is deemed necessary in order to promote the licensing objectives and a 24 hour closure would not be sufficient.

Section 51 of the Act, in addition to the above, is inappropriate due to the incident of serious crime and my immediate concerns over the welfare and safety of members of the public and patrons attending or in the vicinity of the premises. The standard review provisions are insufficient presently as immediate action is required with a full review within 28 days to deal with all concerns for the premises.

The powers contained under Section 53A of 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 for the safety of members of the public and patrons visiting 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.

Jane Higham Superintendent Tameside District. 15th July 2020
(Signed) (Date)

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(Signed)

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(Date)