



Licensing Sub Committee Hearing Panel

Date: Monday, 13 June 2022

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

There is no public access from the Lloyd Street entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Chair), Andrews and Flanagan

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Application for a New Premises Licence - Euro Market, 402 Cheetham Hill Road, Manchester, M8 9LE

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The report of the Director of Planning, Building Control and Licensing is enclosed.

5. Application for a New Premises Licence - Beechley Off Licence, 2 St Oswald's Road, Manchester, M19 3DR

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The report of the Director of Planning, Building Control and Licensing is enclosed.

Information about the Committee

The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 13 June 2022

Subject: Euro Market, 402 Cheetham Hill Road, Manchester, M8 9LE - App ref: Premises Licence (new) 274188

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the grant of a premises licence which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected: Cheetham

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class	

infrastructure and connectivity to drive growth	
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Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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Name: Chloe Tomlinson
Position: Technical Licensing Officer
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Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 26/04/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Euro Market, 402 Cheetham Hill Road, Manchester, M8 9LE in the Cheetham ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Barham Mohammad.
- 2.3 The description of the premises given by the applicant is 'ground floor convenience store located on busy main road.'
- 2.4 The proposed designated premises supervisor is Barham Mohammad.

2.5 **The licensable activities applied for:**

The supply of alcohol for consumption off the premises only:
Mon to Sun 8am to 11pm

Opening hours:
Mon to Sun 8am to 11pm

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**

2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

3. **Relevant Representations**

3.1 A total of 3 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;
- MCC Trading Standards

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Trading Standards	On 1st May 2022 the Trading Standards Service conducted a test purchase at the premises. The premises failed this test purchase and sold a packet of non-compliant cigarettes. The cigarettes failed to meet packaging and labelling requirements under the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015. The cigarettes were sold by a member of staff from behind the till and the cigarettes were brought from a room at the rear of the shop. Following a subsequent CCTV request, it was noted that the CCTV does not cover the till area or the aisle next to the till leading to the back room. Giving consideration to the above points the Trading Standards Service again asks that this application is refused on the grounds that the premises has continued to undermine the licensing objectives and specifically the	Refuse

	prevention of Crime and Disorder.	
Licensing and Out of Hours Compliance	On 1st May 2022, whilst this application was in consultation, the premises failed a test purchase, selling a packet of non-compliant cigarettes. S11.27 and S11.28 of the S182 guidance states that revocation of a licence should be seriously considered in the first instance for certain criminal activity including for the sale of smuggled tobacco. Therefore, as these offences have been committed before the licence has been granted, LOOH ask that the licence is refused.	Refuse
GMP	GMP believe that the granting of this licence would undermine the Licensing Objectives of the prevention of crime and disorder and public safety because the premises failed a test purchase carried out by MCC Trading Standards Officers on 1st May 2022 and have not therefore displayed the required honesty and integrity necessary to hold a premises licence.	Refuse

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 **New Information**

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 **Hearsay Evidence**

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships

- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Conclusion

- 4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.

- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application.**



PREMISE NAME: Euro Market

PREMISE ADDRESS: 402 Cheetham Hill Road, Manchester, M8 9LE

WARD: Cheetham

HEARING DATE: 13/06/2022

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Application for a premises licence to be granted under the Licensing Act 2003

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 this 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.

You may wish to keep a copy of the completed form for your records.

I BARHAM MOHAMMAD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

EUROMARKET 402 Cheetham Hill Road,			
Post town	Manchester	Postcode	M89LE.

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£14,250.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | <input type="checkbox"/> | please complete section (B) |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; ✓

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname MOHAMMAD			First names BARHAM	
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> please tick yes		
Nationality [REDACTED]				
Current residential address if different from premises address		[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]		
E-mail address (optional)	[REDACTED]			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2 4	0 5	2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Ground Floor Convenience Store Located on busy main road

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	0800	2300	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	0800	2300	
Wed	0800	2300	
Thur	0800	2300	
Fri	0800	2300	
Sat	0800	2300	
Sun	0800	2300	
	0800	2300	

M

Describe the steps you intend to take to promote the four licensing objectives:

General – all four licensing objectives (b, c, d and e))

1. Staff Training Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every six months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority.

2. List of Authorised Persons

The Designated Premises Supervisor will maintain a written record of all members of staff who are authorised to sell alcohol. The record will contain a photograph of the relevant members of staff to be kept on the premises within the Due Diligence Folder and be made available to a representative of any responsible authority on request

3. Compliance with the premises Licence conditions The premises will operate with a 'Due Diligence' Folder. The folder will be retained behind the shop counter and be made available at all times for inspection.

The Due Diligence Folder will contain the following documentation

- Licensing health Check
- 3 monthly checklist
- Independent auditors 3 monthly inspection report
- The 4 Licensing objectives (explained)
- DPS Contact details
- DPS Authorisation to sell alcohol
- Age Verification policy (challenge 25)
- Drugs policy
- Purchasing Policy Alcohol and cigarettes
- Litter policy and record of checks
- Incident log paginated
- CCTV equipment weekly check report
- Refusals register
- Staff training portfolios.

The premises will undertake a 6 monthly Due Diligence compliance check. Each check will be recorded in the Due Diligence Folder and certify compliance of the premises licence conditions or record non compliance and action taken to remedy non compliance

a) The prevention of crime and disorder

1. A full digital CCTV system shall be maintained and operated at the premise with cameras positioned both internally and externally
2. Recorded CCTV images will be maintained and stored for a period of 28 days and shall be produced to the Police or Licensing authority upon request
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system any USB/DVD's subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the uses of any such CCTV equipment and will be able to produce CCTV images to an officer from a responsible authority upon request.
5. A record of CCTV maintenance checks will be recorded weekly and maintained in the due diligence folder.
6. The premises will adopt a zero tolerance to Drunks and anti -social behaviour. Staff will be trained on dealing with persons who are disorderly.
7. The premises will have a zero tolerance drugs policy, delivered by the designated premises supervisor. The policy will be supported with staff training and appropriate signage being displayed.
8. An incident book (with the pages numbered sequentially) will be kept on the premises and be made available for inspection by responsible authorities. The incident books will be used to record the following:
 - Any incident of violence or disorder on or immediately outside the premises
 - Any incident involving controlled drugs (supply/possession/influence) on the premises
 - Any other crime or criminal activity on the premises
 - Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
 - Any call for police assistance to the premises
 - Any ejection from the premises
 - Any first aid/other care given to a customer

Public safety

Interior Layout. The interior of the premises will be set out to ensure public safety.

CCTV There will be a CCTV system installed to the standard requested by the police. (please see entry on CCTV Crime and disorder.)

Maintenance of premises The premises interior will be maintained to a standard acceptable to the licensing authority

The prevention of public nuisance

Notices to Customers

Notices requesting customers to have respect for local residents will be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor will ensure that customers are encouraged to keep noise to a minimum.

Litter Control

The designated premises Supervisor must ensure that a member of staff collects all litter from the curtilage of the premises every day after trading. A written record must be kept of the areas checked and made available to responsible authorities for inspection on request.

No Drinks to be consumed Outside

Signage will be displayed informing customers that no alcohol is to be consumed in the immediate area of the shop.

The protection of children from harm

1. Challenge 25

The premises will operate a strict "Challenge 25" scheme in relation to age verification for alcohol sales. Signs and/or posters will be displayed in prominent positions inside the premises.

2. Refusals Book

A refusals book will be kept at the premises and will be used to record all refusals to sell alcohol for any reason. Any refusals to sell such items to underage persons or persons who appear underage will be recorded. The details to be recorded will be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of id. offered (if shown)

The refusals book will be made available for inspection by responsible authorities on request.

3. Proxy Notices

The premise will display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.

4. Staff training

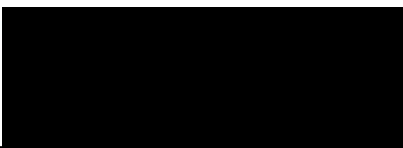
. Staff will receive monthly revision on all issues relating to the protection of children and individual training records will be endorsed by the DPS.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	26 th April 2022
Capacity	Licensing Consultant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

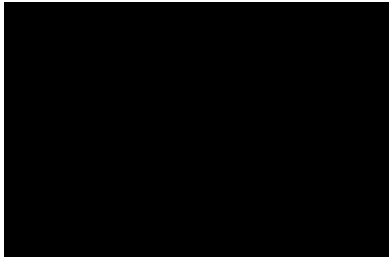
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
[REDACTED]			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Consent of individual to being specified as premises supervisor

I **BARHAM BAKIR MOHAMMAD**

[full name of prospective premises supervisor]

Of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for
NEW PREMISES LICENCE APPLICATION

[type of application]

by

BARHAM MOHAMMAD

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

**EUROMARKET
402 CHEETHAM HILL ROAD
MANCHESTER
M8 9LE**

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

BARHAM MOHAMMAD

[name of applicant]

concerning the supply of alcohol at

EUROMARKET
402 CHEETHAM HILL ROAD
MANCHESTER
M8 9LE

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and HAVE a personal licence, details of which I set out below.

Personal licence number

[REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

[REDACTED]

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

[REDACTED]

Name (please print)

[REDACTED]

Date

26TH APRIL 2022

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Devon	Bennett	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Devon.bennett@manchester.gov.uk	0161 234 1540	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 274188
Name of the Premises about which you would like to make a representation:
Euro Market
Address of the Premises (including postcode if known):
402 Cheetham Hill Road, Manchester, M8 9LE

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>On the 5th April 2022 an intelligence log was received by the Trading Standards Service which stated that Euro Market, 402 Cheetham Hill Road, Manchester, M8 9LE was selling illicit tobacco products.</p> <p>On the 1st May 2022 the Trading Standards Service conducted a test purchase at the premises. The premises failed this test purchase and sold a packet of non-compliant cigarettes. The cigarettes failed to meet packaging and labelling requirements under the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015. The cigarettes were sold by a member of staff from behind the till and the cigarettes were brought from a room at the rear of the shop.</p> <p>Following on from the test purchase, on the 23rd May 2022, the Trading Standards Service conducted a search warrant at the shop premises and at the flat above the shop premises. The result of the warrant found no illicit tobacco products in the flat or the shop premises. However, a CCTV request was submitted under the current premises licence. Present was the Designated Premises Supervisor, Barham Bakir Mohammed. It was noted that the CCTV does not cover the till area or the aisle next to the till leading to the back room. When asked, the DPS stated the camera for that area is on a different system. The DPS was then asked to show this camera and a specified date and time. The DPS responded stating he did not know how to work the system. A request was still put to the DPS to produce CCTV for a specified date and time, the DPS wrote this down and agreed to email me when this was completed.</p> <p>The requirement to supply tobacco products in plain packaging was introduced by The Standardised Packaging of Tobacco Products Regulations 2015. The Regulations make it a legal requirement that the only permitted colour for the external packaging of tobacco products is drab dark brown (Pantone 448C) with</p>

a matt finish. The legislation came into force on 20th May 2016 for new stock with a transitional provision that existing tobacco products already in the supply chain could be supplied for 12 months. From 20 May 2017 it has been a criminal offence to supply any tobacco products in packaging other than plain packaging. The maximum penalty for breaching the regulations on indictment is a fine and 2 years imprisonment. Note that the definition of supply includes possession for supply.

The Tobacco and Related Products Regulations 2016 require the presence of warning statements on tobacco products and requires the warnings to be in English. The regulations came into force on 20 May 2016 however the requirements for warnings to be in English were not new and had been required by the preceding legislation. The maximum penalty for breaching the regulations on indictment is a fine and 2 years imprisonment and again the definition of supply includes possession for supply.

Illicit tobacco is sold at a low price which encourages people to keep smoking while children and young people are often targeted by unscrupulous traders. The low selling price undermines the Government's campaign to reduce smoking prevalence through the use of taxation. HMRC estimate that the trade in illicit tobacco products cost the UK economy £2.5 billion in lost revenue lost in 2016-17 (£1.9 billion in tobacco duties and £0.6 billion in VAT).

In the Section 182 guidance point 11.27 states there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the Licensed Premises for the sale or storage of smuggled tobacco and alcohol.

This service brought the premises licence to review in 2021. The hearing which happened in December 2021 resulted in the revocation of the premises licence. The decision to revoke has since been appealed and is with the courts. No hearing has yet occurred.

Giving consideration to the above points the Trading Standards Service again asks that this application is refused on the grounds that the premises has continued to undermine the licensing objectives. Specifically, the prevention of Crime and Disorder.

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 274188
Name of the Premises	Euro Market
Address of the premises including postcode	402, Cheetham Hill Road, Manchester M8 9LE

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of Prevention of Crime and Disorder and Public Safety.

GMP have been made aware that on the 1st May 2022 Manchester City Council Trading Standards officers conducted a test purchase at the premises. The premises sold a packet of non-compliant cigarettes to an officer. The cigarettes failed to meet packaging and labelling requirements under the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015. GMP have been informed that the cigarettes were sold by a member of staff from behind the till and the cigarettes were brought from a room at the rear of the shop.

Therefore GMP do not believe that the premises are upholding the licensing objectives or displaying the required honesty and integrity to be granted a Premises licence and we ask that the application is refused.





Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Hammerston Road, Gorton M18 8EQ
Email Address	gemma.hunt@manchester.gov.uk
Telephone Number	07817014958

Premise Details	
Application Ref No	M274188
Name of Premises	Euro Market
Address	402 Cheetham Hill Road, Manchester, M8 9LE

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing & Out of Hours (LOOH) Team have assessed the likely impact of the grant of the application taking into account the trading history at the premises.</p> <p>The applicant currently holds a Premises Licence for this address, which was revoked in December 2021 due to the selling of illicit tobacco and is subject to an appeal.</p> <p>In February 2022 the LOOH team investigated the premises for trading without a DPS. Under caution Bahram Mohammad confirmed that he has worked at the premises from October/ November 2021 as a staff member.</p> <p>On the 1st May 2022, whilst this new application was within consultation, the premises failed a further test purchase, selling a packet of non-compliant cigarettes.</p> <p>It is therefore evident that even after a change in ownership of the premises, to a staff member, the premises are still being used to sell illicit cigarettes.</p> <p>S11.27 and S11.28 of the S182 guidance states that revocation of a licence should be seriously considered in the first instance for certain criminal activity including for the sale of smuggled tobacco. Therefor as these continuing offences have been committed before the licence has been granted, we ask that the licence is refused.</p>
<p>Recommendation:</p> <p style="text-align: center;">Refuse Application</p>

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every six months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority. 2. The Designated Premises Supervisor will maintain a written record of all members of staff who are authorised to sell alcohol. The record will contain a photograph of the relevant members of staff to be kept on the premises within the Due Diligence Folder and be made available to a representative of any responsible authority on request 3. The premises will operate with a 'Due Diligence' Folder. The folder will be retained behind the shop counter and be made available at all times for inspection. The Due Diligence Folder will contain the following documentation: <ul style="list-style-type: none"> • Licensing health Check • 3 monthly checklist • Independent auditors 3 monthly inspection report • The 4 Licensing objectives (explained) • DPS Contact details • DPS Authorisation to sell alcohol • Age Verification policy (challenge 25) • Drugs policy • Purchasing Policy Alcohol and cigarettes • Litter policy and record of checks • Incident log paginated • CCTV equipment weekly check report • Refusals register • Staff training portfolios. 4. The premises will undertake a 6 monthly Due Diligence compliance check. Each check will be recorded in the Due Diligence Folder and certify compliance of the premises licence conditions or record non-compliance and action taken to remedy non-compliance. 5. A full digital CCTV system shall be maintained and operated at the premise with cameras positioned both internally and 	N/A	Applicant

Schedule of Licence Conditions

<p>externally</p> <ol style="list-style-type: none"> 6. Recorded CCTV images will be maintained and stored for a period of 28 days and shall be produced to the Police or Licensing authority upon request 7. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system any USB/DVD's subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 8. Any person left in charge of the premises must be trained in the uses of any such CCTV equipment and will be able to produce CCTV images to an officer from a responsible authority upon request. 9. A record of CCTV maintenance checks will be recorded weekly and maintained in the due diligence folder. 10. The premises will adopt a zero tolerance to Drunks and anti - social behaviour. Staff will be trained on dealing with persons who are disorderly. 11. The premises will have a zero tolerance drugs policy, delivered by the designated premises supervisor. The policy will be supported with staff training and appropriate signage being displayed. 12. An incident book (with the pages numbered sequentially) will be kept on the premises and be made available for inspection by responsible authorities. The incident books will be used to record the following: <ul style="list-style-type: none"> • Any incident of violence or disorder on or immediately outside the premises • Any incident involving controlled drugs (supply/possession/influence) on the premises • Any other crime or criminal activity on the premises • Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only) • Any call for police assistance to the premises • Any ejection from the premises • Any first aid/other care given to a customer 13. The interior of the premises will be set out to ensure public safety. 14. There will be a CCTV system installed to the standard requested by the police. 15. The premises interior will be maintained to a standard acceptable to the licensing authority. 16. Notices requesting customers to have respect for local residents 		
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Schedule of Licence Conditions

<p>will be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor will ensure that customers are encouraged to keep noise to a minimum.</p> <p>17. The designated premises Supervisor must ensure that a member of staff collects all litter from the curtilage of the premises every day after trading. A written record must be kept of the areas checked and made available to responsible authorities for inspection on request.</p> <p>18. Signage will be displayed informing customers that no alcohol is to be consumed in the immediate area of the shop.</p> <p>19. The premises will operate a strict "Challenge 25" scheme in relation to age verification for alcohol sales. Signs and/or posters will be displayed in prominent positions inside the premises.</p> <p>20. A refusals book will be kept at the premises and will be used to record all refusals to sell alcohol for any reason. Any refusals to sell such items to underage persons or persons who appear underage will be recorded. The details to be recorded will be as follows:</p> <ul style="list-style-type: none"> • Time, day & date of refusal • Item refused • Name & address of customer (if given) • Description of customer • Details of id. offered (if shown) <p>21. The refusals book will be made available for inspection by responsible authorities on request.</p> <p>22. The premise will display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.</p> <p>23. Staff will receive monthly revision on all issues relating to the protection of children and individual training records will be endorsed by the DPS.</p>		
Conditions proposed by objectors	Agreed	Proposed by
Not applicable	Not applicable	

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 13 June 2022

Subject: Beechley Off Licence, 2 St Oswald's Road, Manchester, M19 3DR -
App ref: Premises Licence (new) 272386

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the grant of a premises licence which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected: Levenshulme

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class	

infrastructure and connectivity to drive growth	
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Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: fraser.swift@manchester.gov.uk

Name: Lauren Wade
Position: Technical Licensing Officer
Telephone: 0161 234 1460
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 20/04/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Beechley Off Licence, 2 St Oswald's Road, Manchester, M19 3DR in the Levenshulme ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Lijo Thomas.
- 2.3 The description of the premises given by the applicant is: This shop is open 7am-11pm for selling milk, bread, soft drinks, groceries, stationary, mobile phone accessories, chocolate and cigarettes. We are planning to sell beer, wine and spirits. Our products are from the leading Whole Salers. Our customers are local residents and passing customers.
- 2.4 The proposed designated premises supervisor is Mr Lijo Thomas
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption off the premises only:
Mon to Sun 7am to 11pm
- Opening hours:
Mon to Sun 7am to 11pm
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**
- 2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

2.7 **Steps to promote the licensing objectives**

- 2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

2.8 **Further documentation accompanying the application**

- 2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 5**:

3. **Relevant Representations**

- 3.1 A total of one relevant representation were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	The conditions need to be more robustly worded to uphold the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm licensing objectives.	Grant with conditions

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 No agreements on conditions have been reached with objectors.
4. **Key Policies and Considerations**

4.1 **Legal Considerations**

4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 **New Information**

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 **Hearsay Evidence**

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 **Manchester Statement of Licensing Policy**

4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.

4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- Ability to clean and maintain the street scene

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the

risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS5 Prevent on-street consumption of alcohol
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Conclusion

- 4.6 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to

what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

4.13 **The Panel is asked to determine the application.**



Beechley Off Licence
2 St Oswald's Road, Manchester, M19 3DR

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME: Beechley Off Licence

PREMISE ADDRESS: 2 St Oswald's Road, Manchester, M19 3DR

WARD: Levenshulme

HEARING DATE: 13/06/2022

Before completing this form please read the guidance notes at the end of the form. If you are completing this 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.

You may wish to keep a copy of the completed form for your records.

I/We LISO THOMAS
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description BECHLEY OFF LICENSE 2, ST. OSWALD'S ROAD LEVENSHULME MANCHESTER. M19 3DR			
Post town	MANCHESTER	Postcode	M19 3DR

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£7500/-

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
THOMAS			LIJO		
Date of birth	[REDACTED]		I am 18 years old or over	<input checked="" type="checkbox"/>	Please tick yes
Nationality					
[REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]			Postcode	[REDACTED]
Daytime contact telephone number					
[REDACTED]					
E-mail address (optional)					
[REDACTED]					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address		↑ NOT APPLICABLE ↓			
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
NOT APPLICABLE
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)	NA
E-mail address (optional)	NA

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
20	05	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THIS SHOP OPEN AT 07.00 TO 23.00 FOR SELLING MILK, BREAD, SOFT DRINKS, GROCERIES, STATIONERY, MOBILE PHONE ACCESSORIES, CHOCOLATES AND CIGARATES. WE ARE PLANING TO SELL BEER, WINE AND SPIRITS. OUR PRODUCTS FROM THE LEADING WHOLE SALERS. OUR CUSTOMERS ARE LOCAL RESIDENTS AND PASSING CUSTOMERS

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

NO

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A NOT APPLICABLE

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon			N/A		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B NOT APPLICABLE

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) N.A		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		

C — NOT APPLICABLE

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	N.A
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D NOT APPLICABLE

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4) N.A.		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E NOT APPLICABLE

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon			N A			
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

F NOT APPLICABLE

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon			N.A		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

G NOT APPLICABLE

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H NOT APPLICABLE

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing N . A		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I NOT APPLICABLE .

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4) N A .		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NO		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N.A.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	LISO THOMAS
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	YMPA0789
Issuing licensing authority (if known)	CYNGOR SIR YNY5 MON COUNTY COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) N/A.
Day	Start	Finish	
Mon	07.00	23.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) N/A.
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

WE BUY OUR GOODS AND STOCK FROM REPUTABLE VENDERS AND KEEP ALL RECEIPTS

b) The prevention of crime and disorder

- 1) WE OPERATE A 24/7 CCTV SYSTEM THAT RECORDS STORE FOR 28 DAYS.
- 2) Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.

c) Public safety

- 1) CALL THE POLICE.
- 2) All firefighting equipment is inspected and serviced in line with the appropriate British Standard.
- 3) Staff training shall include procedures to deal effectively with emergency incidents.

d) The prevention of public nuisance

- 1) REGULAR LITTER CHECKS OF THE PREMISES AND CLEAN.
- 2) A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open.

e) The protection of children from harm

WE OPERATE A CHALLENGE 25 POLICY.
ENSURE WE ARE VIGILANT OF PROXY SALES.
WE USE A REFUSALS BOOK POTENTIAL TO ENSURE ALL REFUSED SALES ARE RECORDED.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
--------------------	--

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	10.03.2022
Capacity	BUSINESS OWNER.

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	N.A.
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Consent of individual to being specified as premises supervisor

LISO THOMAS

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE

[type of application]

by

LISO THOMAS

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

BEECHLEY OFF LICENCE
2, ST. OSWALD'S ROAD
LEVENSHULME
MANCHESTER M19 3DR

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

LISO THOMAS

[name of applicant]

concerning the supply of alcohol at

BEECHLEY OFF LICENCE
2, ST. OSWALD'S ROAD
LEVENSHULME

MANCHESTER.
M19 3DR.

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

YMPA 0789

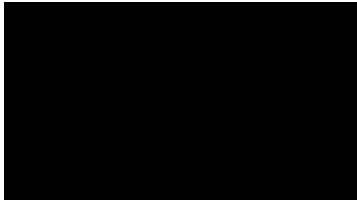
[insert personal licence number, if any]

Personal licence issuing authority

CYNGOR SIR YNYSS MON COUNTY COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



LISO THOMAS.

Name (please print)

19.04.2022.

Date
1

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 272386
Name of the Premises	Beechley Off Licence
Address of the premises including postcode	2 St Oswald's Road, Manchester M19 3DR

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The applicant has offered conditions within the Operating Schedule but they need to be worded more robustly to best demonstrate how the 4 Licensing Objectives will be upheld. If this licence was granted GMP would ask that the following conditions are attached to ensure that the 4 Licensing Objectives are upheld.

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police**
- (b) all ejections of patrons**
- (c) any incidents of disorder**
- (d) any faults in the CCTV system or searching equipment or scanning equipment**
- (e) any refusal of the sale of alcohol**
- (f) any visit by a relevant authority or emergency service**

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.

In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The Premises shall operate a 24/7 CCTV system that records and stores footage for 28 days. 2. Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises. 3. All firefighting equipment shall be inspected and serviced in line with the appropriate British standard. 4. Staff training shall include procedures to deal effectively with emergency incidents. 5. Regular litter checks of the Premises shall be conducted. 6. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. 7. The Premises shall operate a challenge 25 Policy and remain vigilant of proxy sales. 8. All refused sales of alcohol shall be recorded in the refusals book. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 9. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided. 10. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including 	No	GMP

Schedule of Licence Conditions

<p>pertinent details:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any incidents of disorder (d) any faults in the CCTV system or searching equipment or scanning equipment (e) any refusal of the sale of alcohol (f) any visit by a relevant authority or emergency service <p>11. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.</p> <p>12. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p> <p>13. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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