



Licensing Sub Committee Hearing **Panel**

Date: Monday, 6 March 2023

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.

There is no public access from any other entrance of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Hassan, T Judge and Riasat

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. Review of a Premises Licence - Shah Convenience Store, Student Village, Lower Chatham Street, Manchester, M1 5SS

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

5 - 38

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
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

Ian Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This agenda was issued on **Friday, 24 February 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 6 March 2023

Subject: Shah Convenience Store, Student Village, Lower Chatham Street, Manchester, M1 5SS (Review of Premises Licence, App ref - 284541)

Report of: Head of Planning, Building Control & Licensing

Summary

Review of the premises licence under s51 of the Licensing Act 2003

Recommendations

That the Panel, having regard to the application and any relevant representations, take what steps are appropriate for the promotion of the licensing objectives.

Wards Affected: Deansgate

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: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 2784
E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 11/01/2023 an application was made by Gary Cook on behalf of Licensing out of Hours under s51 of the Licensing Act 2003 for a Review of the Premises Licence for Shah Convenience Store, Student Village, Lower Chatham Street, Manchester, M1 5SS in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise has been 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, and details of the application to be published on the Council's website.
- 1.3 The licensing authority must hold a hearing to consider an application to review a premises licence and any relevant representations.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Gary Cook on behalf of Licensing out of Hours.
- 2.3 The application for a review was submitted on the grounds that the licence holder has failed to uphold the licensing objective(s) of the prevention of crime and disorder.
- 2.4 Further details of the grounds for the review are as follows: Failure to notify the licensing authority of a change in the layout of the premises, section 136 offence of the Licensing Act 2003 and failing to engage or co-operate with responsible authorities and act on advice given.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 3**.
- 3.2 The premises licence holder is Mr. Mohammed Rasheed who has held the licence since 24/09/2008.
- 3.3 The designated premises supervisor is Mr. Mohammed Rasheed who has held this position since 24/09/2008.
- 3.4 The licensable activities permitted by the licence are:
- The sale by retail of alcohol

4. Relevant Representations

- 4.1 Representations may be made for or against a review application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must relate to one or more of the licensing objectives. Representations may be made by the holder of the premises licence, a responsible authority or any other person. Where

representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.

4.2 No relevant representations have been received in respect of this application

5. Additional information

5.1 No additional information has been received from any party to the application.

6. Key Policies and Considerations

6.1 Legal Considerations

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

6.2 New Information

6.2.1 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.

6.3 Hearsay Evidence

6.3.1 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.

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

6.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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.

6.4.2 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.

6.4.3 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.

6.5 **Manchester Statement of Licensing Policy**

6.5.1 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.

6.5.2 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.

6.5.3 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.

6.5.4 Relevant to this application, 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 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. 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
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS12 Prevent underage sales of alcohol, including proxy sales

7. Conclusion

- 7.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- a) the prevention of crime and disorder
 - b) public safety;
 - c) the prevention of public nuisance; and
 - d) the protection of children from harm.
- 7.2 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 licence holder. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 7.3 The authority must take such of the steps below as it considers appropriate for the promotion of the licensing objectives. The steps are –
- a) to modify the conditions of the licence;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence.
- 7.4 The conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- 7.5 All licensing determinations should be considered on the individual merits of the application.
- 7.6 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.

- 7.7 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.
- 7.8 **The Panel is asked to take such steps, as set out in 7.3 above, as it considers appropriate for the promotion of the licensing objectives.**

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Shah Convenience Store
 Student Village, Lower Chatham Street, Manchester, M1
 5SS

Premises Licensing
 Manchester City Council

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 Survey100019568.



PREMISE NAME:	Shah Convenience Store
PREMISE ADDRESS:	Student Village, Lower Chatham Street, Manchester, M1 5SS
WARD:	Deansgate
HEARING DATE:	06/03/2023

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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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[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate 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 Gary Cook on behalf of the Licensing & Out of Hours Team

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Tinmus General Store (Trading as Shah Convenience Store) Student Village, Lower Chatham Street,	
Post town Manchester	Post code (if known) M1 5GE

Name of premises licence holder or club holding club premises certificate (if known) Mohammed Rasheed

Number of premises licence or club premises certificate (if known) 097705

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail
(optional) address**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Mr. Gary Cook
 Licensing & Out of Hours Team
 Town Hall Extension
 Manchester
 M60 2LA

Telephone number (if any)

██████████

E-mail address (optional)

████████████████████

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The undermining of the licensing objective of the prevention of crime and disorder arising from:

- Failure to notify the licensing authority of a change in the layout of the premises, section 136 offence of the Licensing Act 2003.
- Failing to engage or co-operate with responsible authorities and act on advice given.

Please provide as much information as possible to support the application (please read guidance note 3)

Tinmus General Store (Trading as Shah Convenience Store) is an is an Off Licence and convenience store at Student Village, Lower Chatham Street, The Premises Licence was granted in June 2007. The Premises Licence Holder (PLH) is Mohammed Rasheed who is also the nominated Designated Premises Supervisor (DPS), and this has remained unchanged since 2008.

The premises is surrounded by student accommodation including Unite Students and Parkway Gate student accommodation. The licence authorises the sale of alcohol for consumption off the premises only, from Monday to Sunday 1100hrs to 2300hrs.

The Licensing & Out of Hours team have made every effort to seek compliance with the licensing objectives before applying for this review, but these efforts have had little or no effect on resolving the offences. This includes the submission of multiple emails, warning letters to the premises and the address of the (PLH/DPS). Mr. Rasheed has failed to attend five pre-review meetings, and the required valid application has not been submitted to resolve the unauthorised change in the layout of the premises.

LOOH are concerned that Mr. Mohammed Rasheed appears to have little or no involvement in the day-to-day running of the premises, and it is unclear who is authorising the sale of alcohol.

On Saturday 5th March 2022 letter issued to the premises licence holder [REDACTED] by email to [REDACTED] and to the premises address. At the time of issue [REDACTED] was the home address linked to premises licence, reference 097705. The letter advised the (PLH/DPS) that I would visit the premises on Wednesday 30th March 2022 to carry out a full licence inspection.

On Sunday 6th March 2022 email received from [REDACTED] stating: "This email has been sent to me in error. Please check your information." Email to advise that Mr. Rasheed remains both the (PLH) and (DPS) at the premises.

On Friday 11th March 2022 a telephone call was received to Licensing & Out of Hours from a resident at [REDACTED]. The resident reported that the named (PLH/DPS) did not live at that address.

On Wednesday 30th March 2022 I entered the premises to carry out a full inspection, advised by a member of staff that Mr. Rasheed was not present.

On Saturday 2nd April 2022 a further letter issued to the address of the premises and emailed to [REDACTED] to advise that a full inspection will be carried out on Tuesday 19th April 2022.

On Friday 18th April 2022 an email was received from [REDACTED] Mr. Rab Nawaz (Shop assistant) to explain that my letter had been received, the (PLH/DPS) was in Pakistan and would not be present for the inspection.

On Saturday 19th April 2022 inspection rescheduled to Friday 29th April 2022, this was emailed to [REDACTED] and posted to premises address.

On Friday 29th April 2022 a full inspection of the premises was undertaken. Mr. Mohammed Rasheed was present, I.D. requested from him, and Driving Licence checked. During this inspection the following issues were identified:

- Home address for the premises licence holder/designated premises supervisor has changed and the licensing authority has not been notified. – **This has since been corrected.**
- The layout of the premises did not reflect the current plan attached to the premises licence.

On Wednesday 4th May 2022 warning letters issued by email to [REDACTED] and to the address of the premises to advise that the following offences are being committed under the licensing act 2003:

- Failure to notify the licensing authority of a change in name or address is an offence under section 33(6) of the Licensing Act 2003. A person guilty of this offence is liable on conviction to a fine of £500. – **This has since been corrected.**
- Failure to notify the Licensing Authority of a change in the layout of your premises is an offence under Section 136 of the Licensing Act 2003.

Advice provided to contact the licensing unit to discuss what type of application would be necessary to amend the plan and update the name and address on the premises licence.

On Monday 23rd May 2022 email issued to [REDACTED] to confirm that the required application has not been submitted and received by the licensing unit and to remind him of the offences being committed.

On Wednesday 15th June 2022 email issued to [REDACTED] to confirm that the required application has not been submitted and received by the licensing unit and to remind him of the offences being committed. Additionally, advised that prosecution may be sought.

On Friday 17th June 2022 email received from [REDACTED] Mr. Rab Nawaz (Shop Assistant) to ask what application would be required to update the licence. Copy of minor variation application and guidance emailed to Mr. Nawaz and Mr. Rasheed.

On Wednesday 13th July 2022 warning letters issued to the address of the premises to remind the Premises Licence Holder of the offences and to provide a deadline to submit the application before Friday 17th August 2022.

On Wednesday 10th August 2022 email issued to [REDACTED] confirm that the required application had not been submitted and received by the licensing unit. Also, to remind him of the offences being committed and the deadline of Friday 17th August 2022.

On Wednesday 17th August 2022 further warning letters issued to (PLH/DPS) by email [REDACTED] to remind him of the offences and to provide a further deadline to submit the application before Friday 2nd September 2022. Proactive visit carried out to the premises to hand deliver letter, premises closed, and letter posted underneath shutters to the premises.

On Monday 12th September 2022 no application received to resolve the offences. Letter issued to [REDACTED] and by post to the premises inviting the (PLH/DPS) to a pre-review meeting at the Town Hall on Thursday 22nd September 2022.

On Wednesday 21st September 2022 I carried out a proactive visit to the premises, (PLH/DPS) not present, spoke with Mr. Rab Malik Nawaz who was aware that there was a pre-review meeting arranged for tomorrow however he could not confirm if Mr. Rasheed would be attending. Advice provided as to how Mr. Rasheed could submit a minor variation to resolve the offences being committed.

On Thursday 22nd September 2022 Mr. Rasheed failed to attend the pre-review meeting and no contact was received to confirm reasons for non-attendance. A further letter was issued by post and to [REDACTED] inviting the PLH/DPS to a pre-review meeting on Wednesday 5th October 2022.

On Friday 30th September 2022 Online enquiry submitted regarding Mr. Rasheed's home address to Stockport Metropolitan Borough Council's licensing team. Mr. Rasheed holds his Personal Licence with this local authority and an alternate address was provided [REDACTED]

On Wednesday 5th October 2022 PLH/DPS failed to attend the pre-review meeting and no contact was received to confirm reasons for non-attendance. Further letter issued by post and to [REDACTED] and to the premises address inviting the PLH/DPS to a pre-review meeting on Friday 21st October 2022.

On Thursday 6th October 2022 Voter's roll checked for Mr. Mohammed Rasheed and his listed address is [REDACTED]. Further Pre-review letter issued by post to the home address and by email to [REDACTED] inviting the PLH/DPS to a meeting at the Town Hall on Friday 21st October 2022. Letter also hand delivered to the premises.

On Saturday 15th October 2022 request submitted to check business rates for the licenced premises. Confirmation received that business rates for Shah Convenience are paid by "Haq Nawaz."

On Sunday 16th October 2022 I visited the premises and took photographs of the premises internally and externally. Mr. Rasheed was not present. Following my visit an email was received from Mr. Nawaz to provide a new email address for Mr. Rasheed, [REDACTED]

On Wednesday 19th October 2022 email received [REDACTED] [REDACTED] advising that Mr. Rasheed will not be attending the Pre-Review meeting. Email issued to [REDACTED] ask that a Minor Variation application is submitted no later than Wednesday 2nd November 2022. A copy of plan was self-drawn purposefully inaccurately to provide an example to Mr. Rasheed of what is required, also advice provided that the plan was to be used as an example only.

On Friday 21st October 2022 Mr. Rasheed failed to attend the pre-review meeting and no contact was received to confirm reasons for non-attendance.

On Saturday 29th October 2022 email issued [REDACTED] to remind him of the deadline, that no application has been submitted, also that this would result in a request to Review the premises licence. Provided with a further deadline to submit the application by Wednesday 2nd November 2022, and to advise non submission would leave case officer with no alternative other than to request a Review of the premises licence.

On Thursday 3rd November 2022 email from [REDACTED] stating that the application has been submitted and apologising for the delay due to personal reasons. Response sent asking when and how the application was submitted.

On Wednesday 9th November 2022 a Review of Premises Licence application was submitted to licensing authority. This has been subsequently withdrawn following an amendment made by the licensing unit to the home address for Mr. Mohammed Rasheed. A Premises Licence minor variation application reference 282659 submitted from [REDACTED], and the application included a copy of the inaccurately drawn plan.

On Saturday 19th November 2022 representation made requesting the refusal of this application, a further email issued [REDACTED] referencing the submission of the application to review, the three pre-review meetings that he has failed to attend, and to provide a further date for a meeting on Monday 28th November 2022 at 2:00pm. Email received from [REDACTED] to ask that this email is removed from our records.

On Monday 28th November 2022 Mr. Rasheed failed to attend the pre-review meeting and no contact was received to confirm reasons for non-attendance.

Email issued [REDACTED] referencing the non-attendance and advising that this leaves the case officer with no alternative other than to continue with an application to review the premises licence.

On Wednesday 30th November 2022 Mr. Rasheed failed to attend the pre-review meeting and no contact was received to confirm reasons for non-attendance.

As per the Section 182 Guidance section 11.10 states:

‘Where authorised persona and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review.’

And further Manchester City Council Statement of Licensing Policy states at 3.43:

‘Responsible authorities will aim to give licensees early warning of any problems in an attempt to work in partnership with the trade to resolve issues (e.g., Joint-agency action planning and voluntary initiatives). It is expected that the trade reciprocates this spirit of co-operation to achieve the promotion of the licensing objectives.’

The LOOH Team invites the Committee to revoke the licence under Section 51 of the Licensing Act 2003 in order to uphold the licensing objectives of the prevention of crime and disorder.

The LOOH team intend to rely on internal and external photographs of the premises and other documents. These will be served on all parties and the Licensing Authority prior to any hearing in accordance with the hearing regulations.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises, please state what they were and when you made them

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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.**Part 3 – Signatures** (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant, please state in what capacity.**

Signature

Date 11th January 2023Capacity **Responsible Authority**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mr. Gary Cook
Licensing & Out of Hours Team
Town Hall Extension

Post town
Manchester

Post Code
M60 2LA

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	097705
Granted	07/06/2007
Latest version	Correction issued 19/12/2022

Part 1 - Premises details

Name and address of premises
Shah Convenience Store Student Village, Lower Chatham Street, Manchester, M1 5SS
Telephone number
0161 236 1902

Licensable activities authorised by the licence
1. The sale by retail of alcohol*.
* All references in this licence to "sale of alcohol" are to sale by retail.

The times the licence authorises the carrying out of licensable activities
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Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption off the premises only.							
Seasonal variations and Non-standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2300	2300	2300	2300	2300	2300	2300
Seasonal variations and Non-standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Mohammed Rasheed
Address:	[REDACTED]

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mohammed Rasheed
Address:	[REDACTED]
Personal Licence number:	4055
Issuing Authority:	Stockport Metropolitan Borough Council

Annex 1 – Mandatory conditions

Door Supervisors

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
 - (a) Unauthorised access or occupation (e.g. through door supervision),
 - (b) Outbreaks of disorder, or
 - (c) Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$
 where –
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

1. Signs requesting that persons do not congregate outside the premises will be displayed and staff will use their best endeavours to ensure customer compliance
2. Any litter attributable to these premises will be removed at regular intervals
3. The CCTV system will incorporate an outside camera covering the frontage of the premises
4. CCTV images to be retained and made available to Responsible Authorities
5. Alcohol to be displayed in a prominent position which can be adequately supervised by members of staff
6. All staff to receive training in respect of their legal obligations in terms of underage sales and sales to intoxicated persons and all training to be documented.
7. The premises to operate a refusal book
8. The premises licence holder to ensure that the immediate area to the front of the shop is cleared of rubbish in a timely manner.
9. Where possible, the personal licence holder will be on site when the premises are open for sales of alcohol. Written authorisation to be given to all staff members by the personal licence holder.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. CCTV shall be installed both inside and outside the entrance and exit of the premises. Recordings shall be kept for a minimum of 31 days. The CCTV equipment shall be maintained in good working order and correctly time and date stamped.
2. There shall be regular and adequate refuse collections from the premises.
3. A challenge 21 scheme shall be operated within the premises. Valid ID associated with such scheme shall be (passport, photo driving licence, proof of age card).

Annex 4 – Plans

See attached