



Licensing Sub Committee Hearing **Panel**

Date: Thursday, 21 March 2024

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 entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Connolly, Andrews and Hewitson

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. Summary Review Interim Steps - RP Patel Newsagent, 80a Waterloo Street, Crumpsall, Manchester, M8 5XF

5 - 40

The report of the Head 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 CBE
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:

Callum Jones
Tel: 0161 234 4940
Email: callum.jones@manchester.gov.uk

This agenda was issued on **Wednesday, 20 March 2024** 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 – 21 March 2024

Subject: RP Patel Newsagent, 80a Waterloo Street, Crumpsall, Manchester, M8 5XF - (App ref: LPU299349)

Report of: Head of Planning, Building Control & Licensing

Summary

Interim Steps hearing for Summary Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

The Sub-Committee must take such of the steps under section 53(B) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To modify the conditions of the licence;
2. To exclude any of the licensable activities from the licence;
3. To remove the designated premises supervisor;
4. To suspend the licence

The conditions of the licence are modified if any of them is altered or omitted, or any new condition is added. Modification of the conditions of the premises licence can include altering or modifying existing conditions or adding any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, no action should be taken in respect of the licence.

Wards Affected: Crumpsall

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	

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: f.swift@manchester.gov.uk

Name: Chloe Tomlinson
 Position: Technical Licensing Officer
 Telephone: 0161 234 4521
 E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 19 March 2024, an application was made by Greater Manchester Police under s53A of the Licensing Act 2003 for a Summary Review of the Premises Licence for RP Patel Newsagent, 80a Waterloo Street, Crumpsall, Manchester, M8 5XF in the Crumpsall ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and for the review of the licence to be fast tracked.
- 1.3 A 10 working-day public consultation exercise is 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.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application.
- 1.5 The full review hearing is scheduled to take place on 15/04/2024.
- 1.6 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 An application for the summary review of premises licence number 118373 under section 53A of the Licensing Act 2003 was submitted by Greater Manchester Police on 19 March 2024. The grounds of the application for review are that in the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.
- 2.3 **Interim Steps pending the review**
 - 2.3.1 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.
 - 2.3.2 The premises licence holder may make representations against the interim steps taken by the licensing authority. Also under s53B, the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

- 2.3.3 On the date of the review hearing, the licensing authority is required to review any interim steps that are in place and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 3**.
- 3.2 The premises licence holder is Merian Umer Fatah and he has held the licence since 12/01/2017.
- 3.3 The designated premises supervisor is Merian Umer Fatah who has held this position since 18/01/2017.
- 3.4 The licensable activities permitted by the licence are:
- Sale by retail of alcohol
 - Mon to Fri 9am to 8pm
 - Sat to Sun 9am to 2pm

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 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.

- 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 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.
- 4.5.4 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 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 and address any local factors relevant to their premises.

Having regard to this application, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- 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. 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

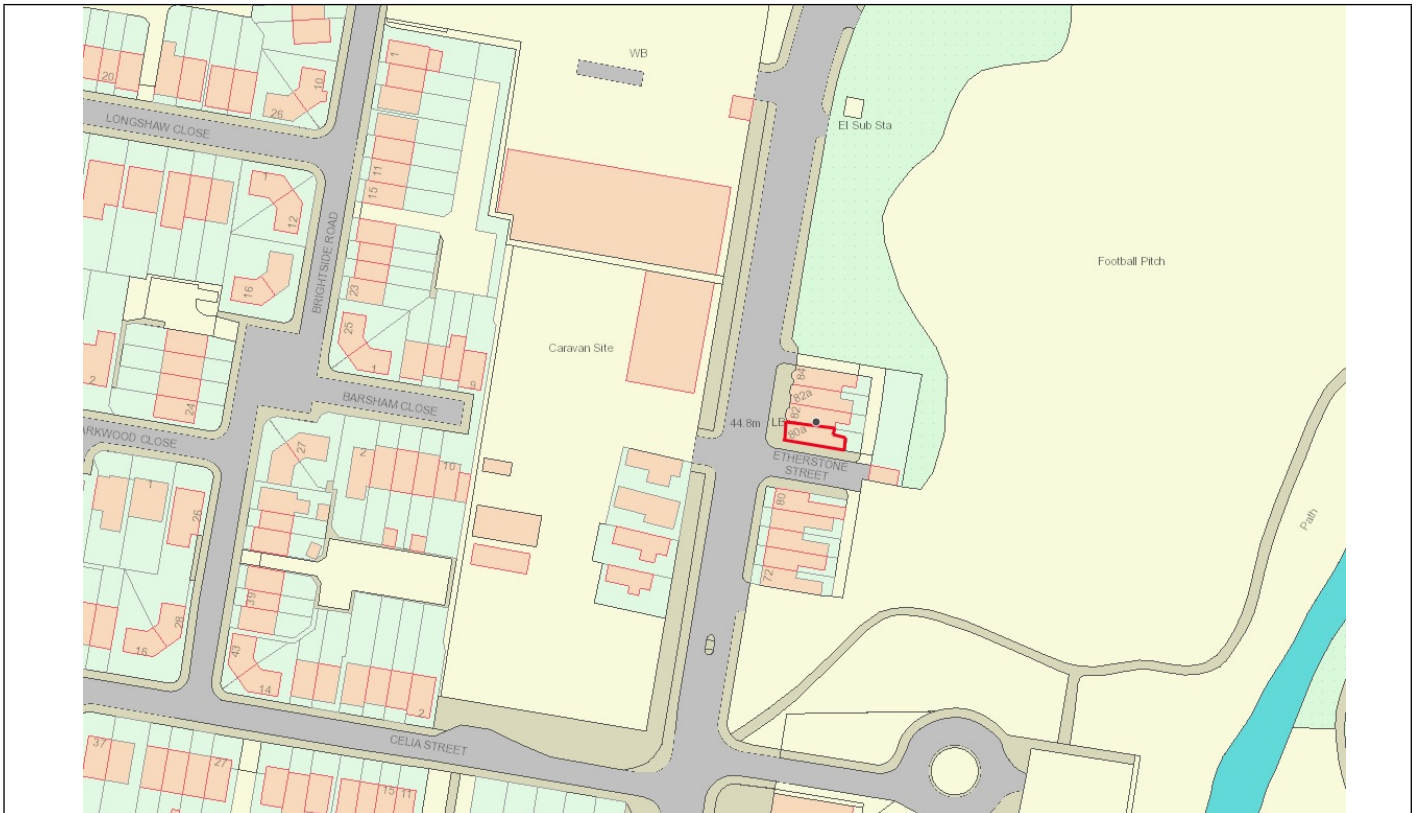
5. Conclusion

- 5.1 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.
- 5.2 In reaching the decision, regard must be had to relevant provisions of the national guidance and the Council's licensing policy statement.

- 5.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives.
- 5.4 In making its decision with regard to this interim steps hearing, the steps the Panel can take are:
- a) To modify the conditions of the licence;
 - b) To exclude any of the licensable activities from the licence;
 - c) To remove the designated premises supervisor;
 - d) To suspend the licence
- 5.5 The conditions of the licence, with the exception of mandatory conditions in Appendix 1 of the licence, 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.
- 5.6 All licensing determinations should be considered on the individual merits of the application.
- 5.7 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.
- 5.8 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.
- 5.9 **The Panel is asked to determine what steps, as set out in 5.4 above, are appropriate for the promotion of the licensing objectives.**

RP Patel Newsagent
 80a Waterloo Street, Crumpsall, Manchester, M8 5XF
 Premises Licensing
 Manchester City Council

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PREMISE NAME: RP Patel Newsagent

PREMISE ADDRESS: 80a Waterloo Street, Crumpsall, Manchester, M8 5XF

WARD: Crumpsall

HEARING DATE: 21/03/24

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ANNEX B

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

R P Patel Newsagent
80A Waterloo Street
Manchester
M8 5XF

Premises licence number (if known): 118373

Name of premises supervisor (if known): Merian Umer Fatah

I am a Superintendent ³ in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious crime which has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Crime. Therefore due to the Serious Crime which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

¹ Delete as applicable.

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

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

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that (a) the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) Involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose

The premises are situated at 80A Waterloo Street in the Crumsall area area of Manchester and the premises licence was issued on 23/03/2009 . The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Merian Umer Fatah who has held these positions since January 2017 .

On Thursday 14th March 2024 GMP officers executed a warrant under section 8 of the Police and Criminal Evidence Act 1984.

Upon arrival the premises were closed and officers have waited outside until they have seen a person walk up and open the premises. The officers have then approached and entered the premises under the powers of the Warrant. The member of staff has been detained and a search of the premises was then conducted.

An officer has then searched a shopping bag that was next to the counter on the shop floor. In this bag was a handbag that the member of staff admitted to being theirs. Inside this bag a single snap bag of cannabis was found. Also in a cigarette carton belonging to them was a joint containing cannabis.

Officers have then conducted a search of the rear of the premises. Upon entering the rear of the premises, officers have entered a room with no other doors leading further into the address. Whilst in the room, officers have felt the floor beneath them flex and noticed the carpet did not appear "fixed" to the floor. Upon pulling the carpet back, a door to the cellar has been discovered.

Upon entering the cellar, it has been searched. Directly behind the stairs leading down into the cellar, a large plastic container and a large carrier type bag have been noticed, standing out against the various items behind the stairs that appeared to have been untouched in the cellar for some time.

This plastic container and bag have been opened and discovered to contain a significant amount of suspected Cannabis. 30 large sandwich type bags of Cannabis were located in the plastic container and 28 large sandwich type bags were located in the plastic bag.

Whilst GMP were in attendance at the premises, [REDACTED] was contacted several times and advised to present himself to officers at the address but he failed to do so, after stating he would attend.

In the back room of the address, there were 31 x sleeves of cigarettes found, believed to be for selling without paying the appropriate tax on them. In the back room, in the metal cabinet there was numerous items found. In total, 34 snap bags of cocaine, and a block of what is believed to be either Class A drugs or cutting agent, drugs packaging, and scales.

Also recovered during the search was an axe and a ball bearing firing rifle.

2 crimes have subsequently been submitted, one for Possession of Cocaine with Intent to Supply and one for Possession of Class B drugs with Intent to Supply.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns that serious crime and has occurred at the premises.

Chris Downey, Detective Superintendent, City of Manchester police.
19/03/2024

.....
(Signed)

(Date)

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Manchester City Council

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Alan Isherwood [on behalf of] the chief officer of police for the Greater Manchester police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**R P Patel Newsagent
80A Waterloo Street**

Post town: Manchester

Post code (if known): **M8 5XF**

2. Premises licence details:

Name of premises licence holder (if known): Merian Umer Fatah

Number of premises licence holder (if known):

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with

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

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious crime which has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Crime. Therefore due to the Serious Crime which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that (a) the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more or (b) involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose

The premises are situated at 80A Waterloo Street in the Crumsall area area of Manchester and the premises licence was issued on 23/03/2009 . The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Merian Umer Fatah who has held these positions since January 2017 .

On Thursday 14th March 2024 GMP officers executed a warrant under section 8 of the Police and Criminal Evidence Act 1984.

Upon arrival the premises were closed and officers have waited outside until they have seen a person walk up and open the premises. The officers have then approached and entered the premises under the powers of the Warrant. The member of staff has been detained and a search of the premises was then conducted.

An officer has then searched a shopping bag that was next to the counter on the shop floor. In this bag was a handbag that the member of staff admitted to being theirs. Inside this bag a single snap bag of cannabis was found. Also in a cigarette carton belonging to them was a joint containing cannabis.

Officers have then conducted a search of the rear of the premises. Upon entering the rear of the premises, officers have entered a room with no other doors leading further into the address. Whilst in the room, officers have felt the floor beneath them flex and noticed the carpet did not appear "fixed" to the floor. Upon pulling the carpet back, a door to the cellar has been discovered.

Upon entering the cellar, it has been searched. Directly behind the stairs leading down into the cellar, a large plastic container and a large carrier type bag have been noticed, standing out against the various items behind the stairs that appeared to have been untouched in the cellar for some time.

This plastic container and bag have been opened and discovered to contain a significant amount of suspected Cannabis. 30 large sandwich type bags of Cannabis were located in the plastic container and 28 large sandwich type bags were located in the plastic bag.

Whilst GMP were in attendance at the premises, [REDACTED] was contacted several times and advised to present himself to officers at the address but he failed to do so, after stating he would attend.

In the back room of the address, there were 31 x sleeves of cigarettes found, believed to be for selling without paying the appropriate tax on them. In the back room, in the metal cabinet there was numerous items found. In total, 34 snap bags of cocaine, and a block of what is believed to be either Class A drugs or cutting agent, drugs packaging, and scales.

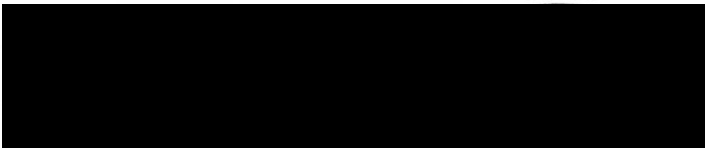
Also recovered during the search was an axe and a ball bearing firing rifle.

2 crimes have subsequently been submitted, one for Possession of Cocaine with Intent to Supply and one for Possession of Class B drugs with Intent to Supply.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns that serious crime and has occurred at the premises.



Contact details for matters concerning this application:

Address:

**Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB**

Telephone number(s): 0161 856 6017

Email: alan.isherwood@gmp.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

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

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	118373
Granted	23/03/2009
Latest version	Transfer 194054, Dps vary194057 granted 12/01/2017

Part 1 - Premises details

Name and address of premises
RP Patel Newsagent 80a Waterloo Street, Crumpsall, M8 5XF
Telephone number

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

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	2000	2000	2000	2000	2000	1400	1400
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	0600	0600	0600	0600	0600	0700	0700
Finish	2000	2000	2000	2000	2000	1400	1400
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Mr Merian Umer Fatah
Address:	██
Registered number:	Not applicable

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Merian Umer Fatah
Address: [REDACTED]
Personal Licence number: 189343
Issuing Authority: Manchester City 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) “valued 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

Not applicable

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

1. The premises will operate and promote the Challenge 21 policy whereby any person attempting to buy alcohol and other age restricted products who appears to be under 21 will be asked to produce appropriate ID. The only ID that will be accepted is a passport, photo driving licence or PASS accredited proof of age card.
2. All staff will be trained with regards to the Challenge 21 policy and forms of acceptable ID. Staff will also be trained to look out for and take action to prevent proxy sales taking place. This training will be recorded in writing. Training will be repeated on a regular basis and details of repeat training will also be recorded in writing. Training must be given to a new member of staff before they commence paid employment.
3. Notices will be displayed at the store indicating that the challenge/think 21 is in force at the premises.
4. The premises will prominently display at point of sale and display areas appropriate signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol. The notices will also include a warning that a financial penalty may be imposed on conviction of such an offence.
5. The premises will operate a refusals book and this will be checked each week by either the Designated Premises Supervisor or Premises Licence Holder to ensure that it is being used by staff. The refusal book will be open to inspection by responsible authorities.
6. The Designated Premises Supervisor to maintain a notice of authority book for all staff who sells alcohol. All staff selling alcohol to be in possession of formal identification so police or trading standards can check against the authorisation book.
7. Staff will ensure customers do not congregate outside the premises so as to cause a noise disturbance to nearby residents.
8. Litter should be removed from outside the premises at regular intervals and after the close of business.
9. All sales of alcohol will be authorised by a Personal Licence holder present in the premises at the time of sale.
10. All solvents and smoking related paraphernalia must be displayed behind the point of sale.
11. The premises will use till prompts to remind staff of their obligations when selling products subject to

age restrictions.

12. No alcoholic drink promotions to be located at the entrance to the store.
13. Upon reasonable notice given by the City Safe Licensing Unit of Greater Manchester Police based at Bootle Street Police Station the premises will agree not to sell alcohol when high profile events are being held within the North Manchester Division of Greater Manchester Police (i.e Manchester Derby).
14. The need for door security will be assessed by the Licence Holder or Designated Premises Supervisor on a regular basis and door staff shall be employed when and where the risk assessment deems this appropriate.
15. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:
 - (i) the door supervisor's name, date of birth and home address;
 - (ii) his/her Security Industry Authority licence number;
 - (iii) the time and date he/she starts and finishes duty;
 - (iv) the time of any breaks taken whilst on duty;
 - (v) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
16. A digital hard drive CCTV system will be in operation to cover internal and external areas of the premises and point of sale and any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV.
 - All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition.
 - CCTV will be kept in an unedited format for a period of 28 days and upon request made available to responsible authorities.
 - Any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player.
 - Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
 - CCTV will be maintained on a regular basis and kept in good working order.
 - CCTV maintenance records to be kept details of contractor used and work carried out to be recorded.
 - Plans indicating the position of CCTV cameras to be submitted to be lodged with City Centre Safe.
 - A written record shall be kept every time images are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her.
 - Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
17. Designated Premises Supervisor or his nominated representative to attend 3 off licence forums per year.

Annex 4 – Plans

See attached

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

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