

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. | LPR 154027 |
| Name of the Premises | Abduls |
| Address of the premises including postcode | 240 Lightbowne Road, Manchester M40 5EF |

Your Representation

Please outline your representation below and continue overleaf.

Please accept this as formal notification of the Greater Manchester Police support of the decision by Manchester City Council Trading Standards to apply for a Review of the Premises Licence of Abduls. GMP are firmly of the opinion that these premises are undermining the Licensing Objectives of the Prevention of Crime and Disorder.

On Tuesday 19th May 2020 I attended at Abduls off licence, 240 Lightbowne Road, Manchester, in company with Devon Bennett from the Manchester City Council Licensing & Out of Hours Team, in order to carry out a licensing inspection.

We spoke to the member of staff who was in charge and began to go through the conditions on the Premises Licence, several of which were being breached.

My attention was then drawn to a number of packets of cigarettes which were on the counter near to the till and had writing on them which was of a foreign origin and none of the packets were displaying the requisite warning pictures and none of them were in the plain green packaging as is required by law. It was apparent that no duty would have been paid on these cigarettes or that they were counterfeit and therefore I seized them as evidence. In total I seized 10 x Sealed Packets of 20 and 1 x Open Packet of 16 which I then handed to Mr Bennett.

GMP fully support the decision to bring the premises to a review and we also agree with our colleagues from the Manchester City Council Trading Standards that their premises licence should be revoked as they clearly have no regard whatsoever for upholding the Licensing Objectives.



Licensing & Out of Hours Compliance Team - Representation

| | |
|------------------|---|
| Name | Devon Bennett |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60 2LA |
| Email Address | Devon.bennett@manchester.gov.uk |
| Telephone Number | 0161 234 1220 |

Premise Details

| | |
|--------------------|--|
| Application Ref No | 246605 |
| Name of Premises | Abduls |
| Address | 240 Lightbowne Road, Manchester, M40 5EF |

Representation

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.

The Licensing and Out of Hours Team received a complaint from Trading Standards that the premises known as Abduls Off-licence, 240 Lightbowne Road had recently failed a test purchase of tobacco to an underage person. The complaint also involved that the Designated Premises Supervisor was not contactable to address the offences committed and the concerns of tobacco being sold to underage persons.

Due to the concerns raised by Trading Standards I conducted a joint visit with PC Alan Isherwood from Greater Manchester Police Licensing Unit. On the 19th May 2020. Myself and PC Isherwood arrived at 240 Lightbowne Road. On arrival myself and PC Isherwood entered the premises where a female was behind the counter. Myself and PC Isherwood showed our Identification and advised we were from Manchester City Council and Greater Manchester Police Licensing. We advised we were visiting to conduct enquiries into who was operating the business at present and to conduct a check on the licensing conditions.

During the visit PC Isherwood spoke with Mr Arslan Asif on the phone Mr Asif stated he was the operator of the premises, he was informed of our visit. I spoke with the shop assistant to check compliance with the conditions on the licence. I noticed a cigarette packet on the till in non-standardised packaging. I asked about the cigarettes and was told by the shop assistant "they are the Russian ones". I asked if there were more. The shop assistant showed me a plastic bag which contained a further ten sealed packets. All in non-standardised packaging. PC Isherwood seized the cigarettes to be inspected later by Trading Standards Officers.

Myself and PC Isherwood went through the conditions on the licence and found the majority of conditions were not being complied with.

- Annex 2 Condition 1 - An effective and adequate CCTV system equipped with a recording facility shall be installed, maintained and operated at the premises. Recorded images shall be retained for 28 days and shall be available to the Authorities upon request.
- Annex 2 Condition 3- Posters shall be displayed notifying customers of the "Challenge 21 Policy".
- Annex 2 Condition 5 - The premises shall operate a refusals/incident log in relation to the sale of alcohol. The log shall include date/time and details of the incident and the staff member dealing with it. The log shall be inspected by the DPS/Licence Holder on a weekly basis and signed as being checked.
- Annex 2 Condition 6 - All staff shall be trained before making sales of alcohol. This training shall include the "Challenge 21 Policy", identifying and preventing underage sales, proxy sales, sales to drunks and shall include the age verification policy. All training shall be logged and repeated every 3 months. The log shall be made available to authorities upon request.
- Annex 3 Condition 3 - A prominent, clear and legible notice shall be displayed at the exit to the premises asking customers to respect local residents and leave the area quietly.
- Annex 3 Condition 4 - The premises licence holder will ensure that appropriate staffing levels are maintained at all times. This will be based on a written risk assessment based on the four licensing objectives. The risk assessment must be available for inspection by Responsible Authorities.
- Annex 3 Condition 6 - Whenever the premises are open to the public there must be a member of staff on duty who has had training in operating the CCTV system and is capable of downloading images upon request.
- Annex 3 Condition 9 - One member of staff who holds an SIA licence to be present at the premises on Fridays - Saturdays 1800-2100.

During the visit it was also identified that the premises was not displaying the summary licence. No licence could be produced when asked. There was also no contact for the Designated Premises Supervisor/ Premises Licence Holder.

I wrote to the Licensing Holder explaining the breaches and warned him that it was an offence to carry out licensable activity otherwise in accordance with his licence. As of 16th June 2020 I have received no response from the licence holder and the new operator has removed all alcohol from the premises.

This illegal activity of sales of tobacco to children, sales of illicit tobacco, operating with no Designated Premises Supervisor in day to day control whilst breaching conditions on the premises licence shows complete disdain for the Licensing Objectives but most importantly the safety of the public who frequent the premises

We would like to make our position clear in support of the application lodged by Trading Standards that the premises has its licence revoked.

Recommendation: Revocation of Premises Licence