

Licensing & Out of Hours Compliance Team - Representation

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Premise Details

Application Ref No	Reference: M/257890
Name of Premises	West Coast Wines [Trading as RS Grocers]
Address	2 St Oswald's Road, Manchester, M19 3DR

The Licensing & Out of Hours submit this representation in respect of the application to review the Premises Licence.

Following information received from Trading Standards advising that they believed that the Licence Holder who is also the Designated Premises Supervisor, Mr Amar Saleem was out of the Country.

On the 16/3/2021, I visited the premises which is trading as RS Grocers, at 2 St Oswalds Rd, M19 3DR.

The person in charge of the premises at the time Mr Sultan Khan did not hold a personal licence, saying that he had applied but had not heard anything.

He confirmed that he was the owner RS Grocers, he also stated that it was the intension of Amar Saleem to submit an application to appoint him as the new Designated Premises Supervisor. Mr Khan was advised that it was an offence to sell Alcohol without authorisation, and was asked to remove the alcohol from sale, which he did.

On the 19/4/21, I wrote to Amar Saleem [DPS/Licence holder] advising him that until such time as there was someone who was authorised to carry out alcohol sales at the premises, or a new DPS was appointed then alcohol could not be sold, outlining the offence and consequences should there be evidence of an offence. I also attached information to assist with the application, and to ensure that he adhered to all the conditions on the premises licence.

On the 6/5/21 a further visit to the premises was carried out by one of my colleagues where the following breaches of conditions in Annex 3 were noted.

2. All staff should be trained with regards to the Challenge 25 policy and forms of acceptable ID. Staff should also be trained to look out for and take action to prevent proxy sales taking place. This training should be recorded in writing. Training should be repeated on a regular basis and details of repeat training should also be recorded in writing [There was no record of this training]
4. The premises should operate a refusals book and this should be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff. [There was no evidence of a refusals book]

5. The Designated Premises Supervisor to maintain a notice of authority book for all staff who sell alcohol. All staff selling alcohol to be in possession of formal identification so Police or Trading Standards can check against the authorisation book. [There was no authorisation book available]
12. The premises shall maintain an Incident Log and public liability insurance. [There was no evidence of an incident log]
14. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner [There were no notices displayed]

On the 6/5/2021, I received a telephone call from Amar Saleem advising he was in London self isolating following coronavirus travel regulations after returning from Pakistan.

On the 6/5/2021, I received confirmation from Manchester City Councils Premises Licencing team that an application to change the Designated Premises Supervisor had not been received.

Further compliance visits were carried out as recently as 11/5/2021, as we had no evidence that Amar Saleem had returned to the UK, and therefore had resumed control of the premises.

I believe that due to the Absence of Amar Saleem (Licence Holder / Designated Premises supervisor) there was a failure to promote the licencing objectives, which ultimately lead to breaches of conditions outlined in Annex 3, noted on the 6/5/21 and a breach of condition 2 Annex 1 as there was nobody at the premises who held a personal licence to authorise alcohol sales prior to the removal of alcohol from sale on 16/3/21.

Condition 2 Annex 1 states:

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence” and which lead to the breaches of conditions noted on the 6/5/21, therefore after considering the facts we conclude that we would support the application to review the premises licence.

Recommendation: Licensing & Out of Hours support the application to Review the Premises Licence.