


Licensing & Out of Hours Compliance Team - Representation

Name	Mr. Gary Cook
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premises Details	
Application Ref No	282659
Name of Premises	Shah Convenience Store
Address	Student Village, Lower Chatham Street, Manchester M1 5SS

Representation
<p>The Licensing and Out of Hours Team (LOOHT) have assessed this application which has been submitted following a full inspection of the premises that was undertaken on Friday 29th April 2022.</p> <p>During this inspection the following issues were identified:</p> <ul style="list-style-type: none"> ▪ The home address for the premises licence holder (PLH) /designated premises supervisor (DPS) had changed and the licensing authority has not been notified. ▪ Incorrect spelling of PLH/DPS surname Mohammed Rashid (correct spelling Rasheed). ▪ The layout of the premises does not reflect the current plan attached to the premises licence. <p>The application resolves the first two point listed above; however, the plan included with the application may not accurately illustrate the current layout of the premises. The plan submitted with the application was created by me as an example only, this was emailed to the PLH 19th October 2022.</p> <p>For the above reasons, LOOH have concerns that approving this minor variation could lead to the Prevention of Crime & Disorder licensing objective being undermined and therefore recommend this application should be refused in its current form and with the proposed plan as submitted.</p>
Recommendation: Refuse Application

[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) [REDACTED]
E-mail address (optional) [REDACTED]

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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 [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 [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 [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] to 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 at [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 at [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 from [REDACTED] advising that Mr. Rasheed will not be attending the Pre-Review meeting. Email issued to [REDACTED] to 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 to [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 to [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

--	--	--	--	--	--	--	--

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 2023
.....


Capacity **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.



Official Pocket Book

Issued to

Name Nathan Mistry

Section COOH

Issued by

Date Issued 12/03/21

Date Completed _____

Serial No _____

245790

Wednesday 11th January
message:-

Bios

[REDACTED]
[REDACTED] - saying
saw letter to
Mohammed Rasheed on
behalf of GC2
Mr Rasheed not in
name letter had
delivered to family

member who stated
they would hand the
letter to him [Signature]

RE: External: Contact licensing - Mohammed Rasheed, Personal Licence ref 4055

Licensing <licensing@stockport.gov.uk>

Sat 18/02/2023 16:19



Good afternoon

Please see the photo below of Mr Rasheed.

Kind regards

Jeannette Hill
Licensing Team



r.gov.uk>

>
ohammed Rasheed, Personal Licence ref 4055

Good morning,

Further to my previous email, can I request a copy of the photograph you have on file for the Personal Licence Holder Mohammed Rasheed. The request relates to my continued investigation into relevant offences under the Licensing Act 2003, thank you.

Kind regards,

Gary Cook

Licensing & Out of Hours Compliance Officer

Licensing and Out of Hours (City Centre)

The Neighbourhoods Service

Growth and Neighbourhoods Directorate

Telephone: 0161 234 1220

Contact Centre: 0161 234 5004

Postal Address: Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA

Please note: in the event of legal proceedings, this correspondence and any replies could be disclosed to the Court.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at <https://www.manchester.gov.uk/emaildisclaimer>

From: Licensing <licensing@stockport.gov.uk>

Sent: 30 September 2022 10:45

To: Gary Cook <gary.cook@manchester.gov.uk>

Subject: FW: External: Contact licensing - Mohammed Rasheed, Personal Licence ref 4055

Good morning

The address we have on file is 47 St Anns Road North, Heald Green, Stockport, SK8 3SH.

Kind regards

Jeannette Hill

Public Protection Case Manager - Licensing

From: noreply@stockport.gov.uk <noreply@stockport.gov.uk>

Sent: 30 September 2022 01:15

To: Licensing <licensing@stockport.gov.uk>

Cc: gary.cook@manchester.gov.uk

Subject: External: Contact licensing - Mohammed Rasheed, Personal Licence ref 4055

Thank you for contacting us

We have received your message and will get back to you. This confirms that we have received your enquiry and a copy of the information received is detailed below:

SENDER : Gary Cook

EMAIL: gary.cook@manchester.gov.uk

SUBJECT: Mohammed Rasheed, Personal Licence ref 4055

MESSAGE: I am wondering if you can assist me please. Please can you confirm the address that you hold on file for this Personal Licence holder. I have recently carried out a full licence inspection of a premises within Manchester City Centre where Mr. Rasheed is both the Premises Licence Holder and the Designated Premises Supervisor. I require this information as I am currently investigating relevant offences under the Licensing Act 2003. Thank you, Gary

From page: <https://www.stockport.gov.uk/contact-licensing>

Confidentiality:- This email, its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged

information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately and inform the sender of the error.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.

If you have received this email in error, please notify the system manager.

The full text of the Council's email disclaimer is available at: www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our privacy notice at: www.manchester.gov.uk/privacy for further information.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

Re: Application for a review of a premises licence under the Licensing Act 2003

Gary Cook <gary.cook@manchester.gov.uk>

Fri 03/02/2023 17:52

Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Dear Mr. Rasheed,

Following the service of the review of your premises licence, by email and by hand to your home address. Please can I ask that you contact me to discuss this review before the end of the applications consultation period 08/02/23.

If the issues identified during my inspection can be resolved, then I would be in a position to consider withdrawing this application.

I look forward to hearing from you.

Kind regards,

Gary Cook

Licensing & Out of Hours Compliance Officer

Licensing and Out of Hours (City Centre)

The Neighbourhoods Service

Growth and Neighbourhoods Directorate

Telephone: 0161 234 1220**Contact Centre:** 0161 234 5004**Postal Address:** Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA

Please note: in the event of legal proceedings, this correspondence and any replies could be disclosed to the Court.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at <https://www.manchester.gov.uk/emaildisclaimer>

From: Gary Cook**Sent:** 11 January 2023 15:44

Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Subject: Application for a review of a premises licence under the Licensing Act 2003

097705 Shah Convenience Store, Student Village, Lower Chatham Street, Manchester, M1 5SS

Dear Mr. Rasheed,

Please see the attached application to this email, and a copy that has been hand delivered to your home address today.

Kind regards,

Gary Cook

Licensing & Out of Hours Compliance Officer

Licensing and Out of Hours (City Centre)

The Neighbourhoods Service

Growth and Neighbourhoods Directorate

Telephone: 0161 234 1220

Contact Centre: 0161 234 5004

Postal Address: Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA

Please note: in the event of legal proceedings, this correspondence and any replies could be disclosed to the Court.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at <https://www.manchester.gov.uk/emaildisclaimer>