

**AGENDA FOR
LICENSING HEARING SUB COMMITTEE**



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To: All Members of Licensing Hearing Sub Committee

Councillors : G McGill (Chair), G Marsden and M Walsh

Dear Member/Colleague

Licensing Hearing Sub Committee

You are invited to attend a meeting of the Licensing Hearing Sub Committee which will be held as follows:-

Date:	Friday, 19 April 2024
Place:	Virtual meeting via Microsoft Teams
Time:	10.30 am
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	To view the virtual meeting online, please email m.cunliffe@bury.gov.uk or phone 0161 2535399 who will provide you with a link to view the meeting via MS Teams or telephone you into meeting with the option of audio only.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearing Sub Committee are asked to consider whether they have an interest in any matter on the agenda, and, if so, to formally declare that interest.

3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF BEYTOUSHI MARKET, 406 BURY NEW ROAD, PRESTWICH, MANCHESTER, M25 1BD (Pages 3 - 58)

A report from the Executive Director (Operations) is attached:-

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	Classification	Item No.
	Open / Closed	
Meeting:	Licensing Hearings Sub-Committee	
Meeting date:	19 April 2024	
Title of report:	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Beytoushi Market, 406 Bury New Road, Prestwich, Manchester, M25 1BD	
Report by:	Executive Director (Operations)	
Decision Type:	Council	
Ward(s) to which report relates	St Mary's	

Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Beytoushi Market, 406 Bury New Road, Prestwich, Manchester, M25 1BD.

Recommendation(s)

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

[Type here]

2.0 INTRODUCTION

- 2.1 The applicant for the licence is Mr Behzad Hassanzadeh, 285 Bury Old Road, Prestwich, M25 1JA and the proposed Designated Premises Supervisor (DPS), in respect of the above premises, is Mr Behzad Hassanzadeh, 285 Bury Old Road, Prestwich, M25 1JA. Application is attached at Appendix 1
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.
- 2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-
- the prevention of crime and disorder
 - public safety
 - prevention of public nuisance and
 - protection of children from harm

3.0 THE APPLICATION

- 3.1 The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

Opening Times:

Sunday to Thursday	08:00 till 00.00
Friday Saturday	08:00 till 02:00

Supply of Alcohol (off the premises only):

Sunday to Thursday	08:00 till 00.00
Friday Saturday	08:00 till 02:00

The conditions contained in the operating schedule submitted by the applicant are contained at Appendix 2.

4.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

- 4.1 The Licensing Authority in its capacity as a Responsible Authorities have made representations been made against this application. The Licensing Authority will make their representations at the hearing.

[Type here]

4.2 This representation is attached at Appendix 3.

5.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

5.1 Trading Standards Service in its capacity as a Responsible Authorities have made representations been made against this application. The trading Standards Service will make their representations at the hearing.

5.2 This representation is attached at Appendix 4.

6.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

6.1 Greater Manchester Police in its capacity as a Responsible Authorities have made representations been made against this application. Greater Manchester Police will make their representations at the hearing.

6.2 This representation is attached at Appendix 5.

7.0 OBSERVATIONS

7.1 After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

8.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003

8.1 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.

8.2 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.

8.3 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

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considering the lawfulness and merits of any decision taken.

9.0 CONCLUSION

9.1 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.

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

9.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.

9.4 In making its decision with regard to this variation hearing, the steps the Sub-Committee can take are:

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

9.5 All licensing determinations should be considered on the individual merits of the application.

9.6 The Sub-Committee'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.

9.7 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.

9.8 The Sub-Committee is asked to determine what steps, as set out in 8.4 above, are appropriate for the promotion of the licensing objectives.

Community impact/links with Community Strategy

Not Applicable

[Type here]

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
There are no specific issues from the report other than potential costs/risks associated with legal appeals.	

Consultation:

Not Applicable

[Type here]

Legal Implications:

Yes, under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

Financial Implications:

The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Report Author and Contact Details:

For further information on the details of this report, please contact:

Mr M Bridge
Licensing Office
Town Hall
Bury
Telephone No: 0161 253 5209
Email: m.bridge@bury.gov.uk

Background papers:

List of Background Papers:-
Application form
Representations received

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning

Appendix One
Grant of Premises Licence for
Beytoushi Market, 406 Bury Old
Road, Prestwich, M25 1BD

Bury Council

Application for a premises licence to be granted 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/We Mr Behzad Hassanzadeh

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Betoushi Market, 406 Bury New Road Prestwich			
Post town	Manchester	Postcode	M25 1BD
Telephone number at premises (if any)		07551 555017	
Non-domestic rateable value of premises		£8,300.00	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as	Please tick as appropriate
a) an individual or individuals *	<input checked="" type="checkbox"/> please complete section (A)
b) a person other than an individual *	
i as a limited company/limited liability partnership	<input type="checkbox"/> please complete section (B)
ii as a partnership (other than limited liability)	<input type="checkbox"/> please complete section (B)
iii as an unincorporated association or	<input type="checkbox"/> please complete section (B)
iv other (for example a statutory corporation)	<input type="checkbox"/> please complete section (B)
c) a recognised club	<input type="checkbox"/> please complete section (B)
d) a charity	<input type="checkbox"/> please complete section (B)
e) the proprietor of an educational establishment	<input type="checkbox"/> please complete section (B)
f) a health service body	<input type="checkbox"/> please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	<input checked="" type="checkbox"/> Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Hassanzadeh			First names Behzad		
Date of birth: 15.07.1992		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality: Iranian					
Place of Birth: Sardasht, Iran					
Current residential address if different from premises address		285 Bury Old Road, Prestwich			
Post town	Manchester			Postcode	M25 1JA
Daytime contact telephone number			07551 555017		
E-mail address (optional)		behzadbeytoushi@gmail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	

Daytime contact telephone number	
E-mail address (optional)	

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	M	YYY
2	6	0
3	2	0
2	4	

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	M	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>A general grocery store situated in a mixed used retail area.</p>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri								
Sat						Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur								
Fri								
Sat						Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun								

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	00.00			
Tue	08.00	00.00			
Wed	08.00	00.00			
Thur	08.00	00.00			
Fri	08.00	02.00			
Sat	08.00	02.00			
Sun	08.00	00.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Behzad Hassanzadeh	
Date of birth: 15.07.1992	Nationality: Iranian Born: Sardasht, Iran
Address 285 Bury Old Road, Prestwich	
Postcode	M25 1JA
Personal licence number (if known) TBA	
Issuing licensing authority (if known) Bury	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00		<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
		00.00	
Tue	08.00		
		00.00	
Wed	08.00		
		00.00	
Thur	08.00		
		00.00	
Fri	08.00		
		02.00	
Sat	08.00		
		02.00	
Sun	08.00		
		00.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV

1.1 The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business.

1.2 The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request.

1.3 The premises licence holder or designated premises supervisor is to provide the police with the contact details of at least one other member of staff (or other person(s)) who is trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request.

1.4 The premises licence holder / Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown as soon as is reasonably practicable and in any event within 24 hours.

1.5 In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor shall make sure that the CCTV is in working order as soon as practicable

b) The prevention of crime and disorder

As above plus

2. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.

3. Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.

4. The Designated Premises supervisor / personal licence holder will be available /contactable at all times that alcohol is on sale.

5. An incident book/register shall be maintained to record:

- i. All incidents of crime and disorder occurring at the premises.
 - ii. Details of occasions when the police are called to the premises.
6. This book/register shall be made available for inspection by a police officer or other authorised officer on request.
7. No alcoholic drink shall be removed from the premises in an unsealed container.

c) Public safety

8. Alcohol may not be sold to any person who appears to be intoxicated.
9. Alcohol may only be sold in sealed containers.

d) The prevention of public nuisance

10. Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
11. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
12. No refuse shall be disposed of or collected from the premises between the hours of 23:00-07:00 where such disposal or collection is likely to cause disturbance to local residents.

e) The protection of children from harm

13. The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.
14. The premises is to maintain a refusals to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
Electronic application
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- X
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>Tony Clarke</i>

Date	23rd February 2024
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Tony Clarke JMC Licensing Consultants 540 Antrim Road			
Post town	Belfast	Postcode	BT15 5GJ
Telephone number (if any)	07388 441720		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) securelicenses@gmail.com			

Appendix 2

Operating Schedule submitted by the applicant

[Type here]

- The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business.
- The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request.
- The premises licence holder or designated premises supervisor is to provide the police with the contact details of at least one other member of staff (or other person(s)) who is trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request.
- The premises licence holder / Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown as soon as is reasonably practicable and in any event within 24 hours.
- In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor shall make sure that the CCTV is in working order as soon as practicable
- A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.
- Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
- The Designated Premises supervisor / personal licence holder will be available /contactable at all times that alcohol is on sale.
- An incident book/register shall be maintained to record:
 - All incidents of crime and disorder occurring at the premises.
 - ii. Details of occasions when the police are called to the premises.
- This book/register shall be made available for inspection by a police officer or other authorised officer on request.
- No alcoholic drink shall be removed from the premises in an unsealed container.
- Alcohol may not be sold to any person who appears to be intoxicated.
- Alcohol may only be sold in sealed containers.
- Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
- Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- No refuse shall be disposed of or collected from the premises between the hours of 23:00-07:00 where such disposal or collection is likely to cause disturbance to local residents.

[Type here]

- The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.
- The premises is to maintain a refusals to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request

Appendix 3

Representation from Licensing Authority

[Type here]

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):	n/a
--------------------------------	-----

Section 2 - Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

<input type="checkbox"/>	Police
<input type="checkbox"/>	Fire Authority
<input type="checkbox"/>	Planning Authority
<input type="checkbox"/>	Health and Safety
<input type="checkbox"/>	Environmental Health Service

[Type here]

<input type="checkbox"/>	Child Protection
<input type="checkbox"/>	Weights and Measures
<input checked="" type="checkbox"/>	Licensing Authority
<input type="checkbox"/>	Immigration
<input type="checkbox"/>	Public Health Department
Full name:	Laura Jones
Job Title:	Deputy Licensing Officer
Tele number:	0161 253 7206
Email:	laura.j.jones@bury.gov.uk
Address:	
<p>Bury Council Licensing Department 3 Knowsley Place Duke Street Bury BL9 0EJ</p>	

Section 3 – Representations	
<input checked="" type="checkbox"/>	We object to the application being granted at all
<input type="checkbox"/>	We object to the application being granted in its current form*
<p>*If you choose this option remember to tell us in section 3B what changes you would like to see.</p>	
<p>You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).</p>	

[Type here]

Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.

Section 3A – The Objectives

To prevent crime and disorder

Please state your reasons:

An application for a Premises Licence for Beytoushi Market, for the sale of alcohol, was made on 26 February 2024 by Behzad Hassanzadeh as the Premises Licence Holder naming himself as Designated Premises Supervisor.

Mr Hassanzadeh obtained his Personal Licence from Bury Council on 28 February 2024. He obtained the qualification on 25 January 2024 therefore it could be reasonably expected that he should have basic knowledge of the licensing objectives and his responsibilities as proposed Premises Licence Holder and Designated Premises Supervisor.

I visited the premises alongside Kelly Halligan from Trading Standards and PC Eccleston from Greater Manchester Police on 5 March 2024 following a complaint that had been made to Trading Standards regarding the sale of illicit cigarettes from the shop.

On entering the premises, a lone male was working, stood behind the counter. When we introduced ourselves, he picked up some bags from the floor and proceeded to enter the back of the shop with the bags, despite being told to leave the bags and to come back by PC Eccleston. He ignored this request and PC Eccleston had to access the back of the shop, over the counter, and apprehend the male. The bags were recovered and found to contain illicit cigarettes and hand rolling tobacco.

The man who was working identified himself as Behzad Hassanzadeh, the applicant for the licence. He informed us that he had only worked at the shop since last Tuesday, 27 February, and that he only works there 2 days a week. He told us that it isn't his shop and he refused to sign the receipt for the illicit cigarettes for this reason.

I asked Mr Hassanzadeh what the 4 licensing objectives were, he could not tell me. PC Eccleston asked him how old a person must be to purchase alcohol; he could not answer. He stated that his English was not good enough. I asked him what he would do if 2 children from a nearby school came in to buy alcohol and how he would handle this, he said he would put it through a translator. He then understood the question and said you have to be 18.

As part of the application form Mr Hassanzadeh has volunteered a number of steps that he intends to take to promote the licensing objectives, one of these is to have a CCTV system recording for 28 days. Mr Hassanzadeh was asked about the CCTV system and showed us the cameras and

[Type here]

	<p>monitor but he could not explain where the hard drive was and did not know if the system was recording, again saying it is not his shop.</p> <p>The Licensing Authority have serious concerns as to how the licensing objectives will be met by Mr Hassanzadeh as he shows little understanding of what is required of him and has already undermined the prevention of crime and disorder objective by allowing illicit cigarettes on the premises. He did not comply with a Police Officers request to not remove the bags from behind the counter and refused to sign the receipt for the cigarettes when requested to by an Authorised Officer of the Council. Mr Hassanzadeh repeated on numerous occasions that this is not his shop yet the application for the Premises Licence has been made solely in his name. These concerns are heightened by the late hours that have been applied for specifically the sale of alcohol until 2am on Friday and Saturday and that fact that Mr Hassanzadeh informed us that he only works in the shop for 2 days a week.</p>
<p>Public safety</p>	<p>Please state your reasons:</p>
<p>To prevent public nuisance</p>	<p>Please state your reasons:</p>
<p>The protection of children from harm</p>	<p>Please state your reasons:</p> <p>As above as Mr Hassanzadeh was not able to show his understanding of the licensing objective.</p>

[Type here]

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[Type here]

Section 3B – Suggestions/Further information

If Members are minded not to refuse the application I would ask that Mr Hassanzadeh be refused as the Designated Premises Supervisor and that the following are placed as conditions on the licence to promote the licensing objectives.

Prevention of Public Nuisance

1. Management and staff are to use their best endeavours to prevent persons loitering outside the premises.

Prevention of Crime and Disorder

The premises licence holder must ensure that:

2. CCTV cameras are located within the premises to cover all public areas including all entrances and exits (the location of cameras could also be specified on the plan attached to the premises licence).
3. The system records clear images.
4. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
5. The CCTV system operates at all times while the premises are open for licensable activities or specify timings.
6. All equipment must have a constant and accurate time and date generation.
7. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
8. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 or any replacement legislation.
9. A Personal Licence holder must be on the premises on Friday and Saturday between 3pm and close of business.
10. All staff authorised to sell alcohol shall be trained in:
 - Relevant age restrictions in respect of products
 - Prevent underage sales
 - Prevent proxy sales
 - Maintain the refusals log
 - Enter sales correctly on the tills so the prompts show as appropriate
 - Recognising signs of drunkenness and vulnerability
 - How to refuse service
 - The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
 - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - The conditions in force under this licence.

Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

[Type here]

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Bury Council.

Protection of Children from Harm

11. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
12. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises that the Challenge 25 scheme is in operation.
13. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises 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.
14. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying upon request by an officer of a Responsible Authority.
15. All individual alcohol containers (e.g. bottles/cans/cartons) before going on display for sale are to be uniquely and indelibly marked in a manner approved by the Greater Manchester Police.
16. That the following alcoholic drinks be kept behind the counter or in a place where customers do not have direct access to these products without the assistance of a member of staff, namely: all spirits, flavoured spirits, alco pops (i.e. spirit based drinks mixed with soft drink/flavoured juice etc) which will include and not be limited to products such as "WKD" and similar products).



Signed: ...

.....Dated: 6 March 2024

N.B if you do make a representation, you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

Appendix 4

Representation from the Trading Standards Service

[Type here]

ABury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):	n/a
--------------------------------	-----

Section 2 – Responsible Authority’s Details

Responsible Authority’s Details:

Please tick appropriate box:

<input type="checkbox"/>	Police
<input type="checkbox"/>	Fire Authority
<input type="checkbox"/>	Planning Authority
<input type="checkbox"/>	Health and Safety
<input type="checkbox"/>	Environmental Health Service

[Type here]

	Child Protection
x	Weights and Measures
	Licensing Authority
	Immigration
	Public Health Department
Full name:	Kelly Halligan
Job Title:	Unit Manger – Trading Standards
Tele number:	0161 253 5091
Email:	k.j.halligan@bury.gov.uk
Address:	
<p>Bury Council Licensing Department 3 Knowsley Place Duke Street Bury BL9 0EJ</p>	

Section 3 – Representations	
X	We object to the application being granted at all
	We object to the application being granted in its current form*
<p>*If you choose this option remember to tell us in section 3B what changes you would like to see.</p>	
<p>You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).</p>	

[Type here]

Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.

Section 3A – The Objectives

To prevent crime and disorder

Please state your reasons:

An application for a Premises Licence for Beytoushi Market, for the sale of alcohol, was made on 26 February 2024 by Behzad Hassanzadeh as the Premises Licence Holder naming himself as Designated Premises Supervisor.

Mr Hassanzadeh obtained his Personal Licence from Bury Council on 28 February 2024. He obtained the qualification on 25 January 2024 therefore it could be reasonably expected that he should have basic knowledge of the licensing objectives and his responsibilities as proposed Premises Licence Holder and Designated Premises Supervisor.

On the 8th February a complaint was received stating that the shop was selling illicit tobacco from under the counter. On the 29th February a test purchase was carried out at the shop, and a packet of Lambert and Butler was purchased for £5, the packet of cigarettes, is in non-standardised packaging and not permitted for sale in the UK.

Following on from the test purchase, on the 5th March, I visited the premises alongside Laura Jones from Bury Councils Licensing Team and PC Eccleston from Greater Manchester Police.

On entering the premises, a lone male was working, stood behind the counter. When we introduced ourselves, he picked up some bags from the floor and proceeded to enter the back of the shop with the bags, despite being told to leave the bags and to come back by PC Eccleston. He ignored this request and PC Eccleston had to access the back of the shop, over the counter, as there was no access to the rear of the counter unless you unbolted a door which had shelving on the front. The bags were recovered near the back door of the premises and found to contain illicit cigarettes and hand rolling tobacco.

The bags were opened, emptied, and counted, before being placed in evidence bags and seized. The cigarettes and HRT was either in non-standardised packaging or suspected to be counterfeit, or not for the UK Market.

The man who was working identified himself as Behzad Hassanzadeh, the applicant for the licence. He informed us that he had only worked at the shop since last Tuesday, 27 February, and that he only works there 2 days a week. He did however match the description of the chap who sold the test purchase on the 29th February. He told us that it isn't his shop and he refused to sign the receipt and the notice of powers and rights, for the illicit cigarettes for this reason.

[Type here]

	<p>Mr Hassanzadeh was asked about the food in the shop, as a lot of it contained no English labelling, so there was no allergen labelling either on the products. He said he didn't buy it, the boss did, PC Eccleston and I tried to explain that if some one had a allergy then they couldn't read what was in the product to avoid consuming something that could potentially be fatal to them. After trying for some time to get Mr Hassanzadeh to understand the serious of the matter, I just asked him to go through the stock, and removed everything without an English label until, he could get labels to stick on the products from his suppliers with the correct information on.</p> <p>Miss Jones asked Mr Hassanzadeh what the 4 licensing objectives were, he could not tell her. PC Eccleston asked him how old a person must be to purchase alcohol; he could not tell him. He stated that his English was not good enough. Miss Jones, asked him what he would do if 2 children from a nearby school came in, in uniform to buy alcohol and how he would handle this, he said he would put it through a translator. He then understood the question and said you have to be 18.</p> <p>This responsible authority has serious concerns as to how the licensing objectives will be met by Mr Hassanzadeh as he shows little understanding of what is required of him and has already undermined the prevention of crime and disorder objective by allowing illicit cigarettes on the premises. He did not comply with a Police Officers request to not remove the bags from behind the counter and refused to sign the receipt for the cigarettes when requested to by an Authorised Officer of the Council. He has no knowledge or understanding of the products he is selling or the legislation that covers those products and protects consumers who have serious allergies that could be fatal. Mr Hassanzadeh repeated on numerous occasions that this is not his shop yet the application for the Premises Licence has been made solely in his name. Mr Hassanzadeh informed us that he only works in the shop for 2 days a week, which is a concern if he is the one with the licence, and he is only going to be on the premises 2 days a week.</p>
Public safety	Please state your reasons:

[Type here]

<p>To prevent public nuisance</p>	<p>Please state your reasons:</p>
<p>The protection of children from harm</p>	<p>Please state your reasons: As above as Mr Hassanzadeh was not able to show his understanding of the licensing objective.</p>

[Type here]

Section 3B – Suggestions/Further information

If Members are minded to grant the application, I would ask that Mr Hassanzadeh be refused as the Designated Premises Supervisor and that the following to be placed as conditions on the licence to ensure that the licensing objectives are met, taking into account the nighttime economy on a Friday / Saturday evening.

The Prevention of Crime and Disorder

- A Personal Licence holder must be on the premises at all times when open to the public.

Or

A Personal Licence holder must be on the premises on Thursday, Friday and Saturday between 15.00 hrs and close of business and have a personal licence on their person which can be produced on request by police / authorised officers of the Licensing Authority.

- Staff training shall take place on the Licensing Act and Licensing objectives every six months and a written record of this training to be maintained and made available to the police and any authorised officer of the Council for inspection on request.

Protection of Children from Harm

- The premises will operate a “Challenge 25” proof of age policy and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold / supplied alcohol. Only a passport or photo-card driving licence should be accepted as proof of age.

A documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme shall be actively promoted and advertised at the premises and will ensure that any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

Where a purchaser is asked for Identification, only the following forms of identification will be acceptable:-

- (a) Photo driving licence
- (b) Passport or
- (c) Her Majesty’s Forces Warrant Card

- The premises is to maintain a refusals book to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The book must be made available to the police / authorised officers of the Licensing Authority on request.

[Type here]

- All individual alcohol containers (e.g. bottles/cans/cartons) before going on display for sale are to be uniquely and indelibly marked in a manner approved by the Greater Manchester Police and Bury Council.



Signed: ...

.....Dated: 13/3/24

N.B if you do make a representation, you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

Appendix 6

Representation from Greater Manchester Police

[Type here]

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following application:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

New premises license application

Application Number (if known):	N/A
--------------------------------	-----

Section 2 – Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

<input checked="" type="checkbox"/>	Police
<input type="checkbox"/>	Fire Authority
<input type="checkbox"/>	Planning Authority
<input type="checkbox"/>	Health and Safety
<input type="checkbox"/>	Environmental Health Service

[Type here]

<input type="checkbox"/>	Child Protection
<input type="checkbox"/>	Weights and Measures
<input type="checkbox"/>	Licensing Authority
<input type="checkbox"/>	Immigration
<input type="checkbox"/>	Public Health Department
Full name:	Peter Eccleston
Job Title:	Bury District Licensing Officer
Tele number:	07774219071 / 0161 856 2256
Email:	peter.eccleston@gmp.police.uk
Address:	
<p>Bury Police Station Dunster Road Bury BL9 0RD</p>	

Section 3 – Representations	
<input checked="" type="checkbox"/>	We object to the application being granted at all
<input type="checkbox"/>	We object to the application being granted in its current form*
<p>*If you choose this option remember to tell us in section 3B what changes you would like to see.</p>	
<p>You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).</p> <p>Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.</p>	

[Type here]

Section 3A – The Objectives	
To prevent crime and disorder	<p>Please state your reasons:</p> <p>Please accept this as a formal representation from Greater Manchester Police with regards to the new premises license application for Beytoushi Market at 406 Bury New Road, Prestwich, M25 1BD.</p> <p>An application was made for the sale of alcohol relating to the above premises was made on the 26th February 2024. A Mr Behzad Hassanzadeh named himself as the Premises License Holder (PLH) as well as the Designated Premises Supervisor (DPS)</p> <p>Mr Hassanzadeh obtained his Personal License from Bury Council on the 28th February 2024 after recently obtaining his Personal License Qualification in January 2024. As such you would expect someone to have an understanding of the four licensing objectives and their roles and responsibilities as PLH and DPS.</p> <p>On the 5th March 2024, PC Eccleston along with Kelly Halligan from Trading Standards and Laura Jones from Bury Council Licensing Department visited the premises after a recent complaint had been received by Trading Standards claiming that the shop was selling illicit cigarettes.</p> <p>On entering the premises, a lone male was stood behind the serving counter at the other end of the shop floor. As we approached, the male went out of sight and he could be heard moving carrier bags from behind the counter and through the door into the rear storeroom area. PC Eccleston repeatedly asked the male to stop moving the bags and to return to the counter. These requests were ignored therefore PC Eccleston had to climb over the counter to gain access to the rear storerooms where he was able to detain the male and prevent any further concealment of evidence.</p>

[Type here]

The bags were recovered, and they were found to contain 6320 cigarettes (319 packets) and 1.75 Kg (35 packets) of hand rolling tobacco. This was seized by Kelly Halligan.

On speaking to the male, he introduced himself as Behzad Hassanzadeh (the applicant for the premises license) which was confirmed by his driving license which he had in his possession. He informed us that he had only been working at the premises since the 27th February 2024 on a part-time basis of two days a week at the moment. During the conversation, he stated that the premises belonged to a family member and when asked why the family member had not applied to be the PLH and or DPS, he stated that due to previous incidents involving said family member, they didn't think he would be able to obtain either. Due to the premises not belonging to him, Mr Hassanzadeh refused to sign Trading Standards powers and procedures form which contained details of the visit to the premises.

As the conversation continued, further concerns were raised when Mr Hassanzadeh was asked questions in relation to the four licensing objectives, and he could not tell us what they were. He was also asked how old a customer must be to legally buy alcohol in the UK and again he could not answer. He gave an explanation that his understanding of the English language was not the best and didn't understand what we were asking him. Again, he was asked how he would handle a situation, if two children in school uniform were to enter the premises and try to buy alcohol. He stated that he would put it through a translator. After PC Eccleston reworded the question around underage sales, Mr Hassanzadeh understood what was being asked of him and stated that you must be 18years old.

On the Premises License Application, Mr Hassanzadeh, has volunteered a number of conditions which he intends to uphold in order to promote the four licensing objectives. One of those conditions was to have a fully operational CCTV which has a recording capacity of 28days or more. Mr Hassanzadeh was asked questions relating to the CCTV system and more specifically about if, how and where recordings were being stored, however he was unable to provide any details stating that it was not his shop as a reason.

Under the circumstances, Greater Manchester Police has serious concerns as to how the licensing objectives will be upheld by Mr Hassanzadeh. He has demonstrated that he has little understanding of his role and responsibilities as a designated premises supervisor and has already undermined the licensing objectives under the Prevention of

[Type here]

	<p>Crime and Disorder, due to allowing illicit cigarettes and tobacco on the premises.</p> <p>Furthermore, he did not comply with a request by a Police Officer who was in full uniform, to leave the carrier bags in situ behind the counter and did the complete opposite, by trying to conceal them in the rear storeroom. He also refused to sign Trading Standards record of the visit which details the powers and entitlements to enter the premises.</p> <p>Throughout the encounter with Mr Hassanzadeh, he continually gave the reason that the shop was not his, yet the Premises License Application has been made solely in his name and he has volunteered to be the Designated Premises Supervisor. On the application, he has requested a late hour for the supply of alcohol until 2am on both Friday and Saturday's yet when asked, Mr Hassanzadeh stated that he was only working 2 days a week which heightens the concerns and it begs the question as to who will be working the remaining days and what their level of understanding is with regards the licensing objectives when the proposed Premises License Holder / Designated Premises Supervisor has little understanding to begin with.</p>
<p>Public safety</p>	<p>Please state your reasons:</p>
<p>To prevent public nuisance</p>	<p>Please state your reasons:</p>

[Type here]

<p>The protection of children from harm</p>	<p>Please state your reasons:</p> <p>As above. The proposes PLH/DPS was not able to demonstrate a level of understanding relating to sale of alcohol to minors and therefore poses a huge risk to the integrity of this objective and subsequent safety of children.</p>

[Type here]

Section 3B – Suggestions/Further information

[Type here]

Under the circumstances as outlined above, it is quite clear that there is no regard for the licensing objectives nor the law and if granted there is a serious risk that the licensing objectives will continue to be undermined. As such GMP are asking that serious consideration be given to the refusal of the Premises License Application in its entirety including the Designated Premises Supervisor however should the committee decide otherwise, GMP would like to suggest the following additions to the license conditions in an effort to promote the licensing Objectives.

Prevention of Crime and Disorder

The premises licence holder must ensure that:

1. The CCTV system is to be serviced annually by a professional to maintain full working order of the system and relevant records of the service are to be kept for a minimum of 2 years and made available for inspection by a police officer or authorised officer of Bury Council.
2. CCTV cameras are to be located inside the premises to cover all public areas including all entrances and exits. The location of the cameras should be specified on the plan attached to the premises license.
3. CCTV cameras are located outside the premises to cover all entrances and exits. The location of the cameras should be specified on the plan attached to the premises license.
4. The CCTV system is able to capture a minimum of 24 frames per second.
5. The CCTV system is in operation at all times the premises is open to members of the public or specific timings.
6. The CCTV recordings have a constant and accurate date and time stamp taking into account daylight saving time.
7. During operating hours, there is a trained member of staff at the premises, able to provide viewable copies of footage within 12 hours of a request of the Police or authorised officer of the Local Authority.
8. A personal license holder must be on the premises on Thursday's, Friday's and Saturday's for the duration of the licensable activity.
9. All staff authorised to sell alcohol shall be trained in the following:
 - Relevant age restriction in relation to relevant products.
 - Prevention of underage sales.
 - Prevention of proxy sales.
 - Maintaining a refusals log or book.
 - Recognising signs of drunkenness and vulnerability.
 - How to refuse service
 - Entering sales correctly into the point of sales / till so that prompts are shown as appropriate.
 - Dealing with emergency situations which must include but not limited to the preservation of a crime scene, reporting incidents to the emergency services, evacuation.
 - The conditions listed in the operating schedule of the premises license.
 - The four licensing objectives.

[Type here]

10. All training must include evidence that the member of staff has gained knowledge and understanding of the information presented to them which may include knowledge checks/quizzes.
11. Documented staff training records shall be kept for each member of staff. Regular staff training shall be conducted at regular intervals and at no more than 6-month intervals. All training records shall be made available upon request from the police or an authorised officer of the local authority.

Prevention of Public Nuisance

17. Management and staff are to use their best endeavours to prevent persons loitering outside the premises.

Protection of Children from Harm

12. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
13. The premises shall display prominent signage indicating, at any point of sale, any entrance to the premises, and any display of relevant products that the Challenge 25 scheme is in operation.
14. A refusals record must be kept at the premises which details all refusals to sell alcohol and tobacco products. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection on the request of any responsible authority under the Licensing Act.
15. All individual alcohol containers (e.g. bottles/cans/cartons) before going on display for sale are to be uniquely and indelibly marked in a manner approved by the Greater Manchester Police.
16. That the following alcoholic drinks be kept behind the counter or in a place where customers do not have direct access to these products without the assistance of a member of staff, namely: all spirits, flavoured spirits, alco pops (i.e. spirit based drinks mixed with soft drink/flavoured juice etc) which will include and not be limited to products such as "WKD" and similar products).

Signed.....P. Eccleston.....

dated: 13/03/2024

N.B if you do make a representation, you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

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