

**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:-

<b>Date:</b>	Tuesday, 26 March 2024
<b>Place:</b>	Virtual meeting via Microsoft Teams
<b>Time:</b>	1.00 pm
<b>Briefing Facilities:</b>	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.
<b>Notes:</b>	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 MINUTES OF THE LAST MEETING(S) *(Pages 3 - 28)***

The Minutes of the last Licensing Hearing Sub Committee meetings held at 10.00am on the 29<sup>th</sup> January 2024, 10.00am on the 2<sup>nd</sup> February 2024 and 1.00pm on the 18<sup>th</sup> March 2024 are attached.

**4 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF METRO OFF LICENCE, 66 SPRING LANE, RADCLIFFE, M26 2SZ *(Pages 29 - 62)***

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

**Minutes of:** LICENSING HEARING SUB COMMITTEE

**Date of Meeting:** 29<sup>th</sup> January 2024

**Present:** Councillor G McGill (in the Chair)  
Councillors G Marsden and M Walsh

M. Bridge (Licensing Unit Manager)  
M. Cunliffe (Democratic Services)  
O. Osinuga (Legal Services)

**Also in attendance:** Mr S Monks (Applicant)  
Miss M Monks (Applicant)

**Public Attendance:** The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the press or public were in virtual attendance.

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**1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted from B Thomson- Head of Public Protection. No representors were in attendance.

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**3 MINUTES OF THE LAST MEETING**

The minutes of the last Licensing Hearing Sub Committee meeting held at 10.30am on the 12<sup>th</sup> January 2024 were attached to the agenda.

**Resolved:-** That the minutes of the Licensing Hearing Sub Committee held at 10.30am on the 12<sup>th</sup> January 2024 be approved as a correct record.

**4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF THE HIDEOUT GASTRO BAR LIMITED, 2 SHERBOURNE STREET, PRESTWICH, M25 3HB**

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Hideout Gastro Bar Limited, 2 Sherbourne Street, Prestwich, M25 3HB.

The applicant for the licence is the Hideout Gastro Bar Limited, 2 Sherbourne Street, Prestwich, M25 3BB and the proposed Designated Premises Supervisor (DPS), in respect of the above premises, is Mr Gregory Ryan Motler, 61 Pall Mall, 18 Church Street, Manchester, M4 1PN

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

The Licensing Unit Manager presented the report and 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

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

The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003 which was attached at Appendix 1 in the agenda packs.

Since the submission of the application for a premises licence by the applicant, the hours of operation have been amended due to the applicant being contacted by Greater Manchester Police. Mediation took place and the applicant had agreed to the following hours:

**Opening Times:**

Monday to Thursday – 11:00 till 23:30

Friday and Saturday – 11:00 till 00:30

Sunday – 12:00 till 23:30

**Supply of Alcohol (on the premises only):**

Monday to Thursday – 11:00 till 23:00

Friday and Saturday – 11:00 till 00:00

Sunday – 12:00 till 23:00

The conditions contained in the operating schedule submitted by the applicant were contained at Appendix 2 in the agenda packs.

Two relevant representations from an interested parties had been made against this application. A summary of this is detailed below:-

- Fighting / Anti-Social Behaviour
- Noise/Loud Music
- Taxis
- Increase in licensed premises
- Residential area
- Patrons leaving
- Other venues in close proximity

The part redacted representations were attached at Appendix 3 in the agenda packs.

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.

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.

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.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

In making its decision with regard to this application 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

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

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.

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.

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

Mr Monks addressed the sub committee and told Members they were looking to put guidance in place to control noise levels and door staff could be employed at busy

times on a Friday and Saturday to help control protocols. A CCTV system would cover the inside of the premises and externally it would monitor both the rear and side of the location. Sound proofing would also be installed on the wall that adjoined the neighbouring property which was a barber's shop although that premises also had a flat.

Miss Monks addressed the sub committee and added that notices would be placed in the bar advising customers who wished to exit the premises for a cigarette that a smoking and vaping area was located on Bury New Road. She informed Members they were local residents of Prestwich and wanted to sustain a good community in the area. Spots checks could be undertaken to make sure protocols were adhered to and noise levels were under control. Initial enquires had been undertaken with the police in relation to having a direct panic alarm installed at the premises.

Mr Monks advised that the customer base aimed to be people in their late 20's upwards and would have to meet a dress code in place with no drink offers planned and the challenge 25 scheme implemented. In relation to the objections received he commented that there were a number of similar bars in the area surrounded by residential properties and these even had an outdoor space which would create more noise.

Miss Monks confirmed that late night opening would only be required for special one-off events and a Temporary Event Notice could be applied for occasions such as Parklife, Prestwich Pride and New Years Eve if the business chose to operate then. In relation to the noise objections received, she added that vehicles such as taxis would not use the side street and there were parking bays on the main road to accommodate them. Miss Monks clarified the commercial waste collection times from the premises and the venue would be considerate when managing glass waste to reduce excessive sound levels from the transfer into bottle bins.

The Licensing Unit Manager questioned that door staff were not included as a condition in the operating schedule and Mr Monks stated that they would be happy to implement that condition at peak weekend times if required.

The Licensing Unit Manager enquired about employing only one door staff supervisor and the applicants explained that they would monitor this if required and employ another person on the door only if needed. As a new business, additional costs would need to be considered if door staff and panic alarms were needed.

The Licensing Unit Manager asked if a free phone taxi telephone would be available and Mr Monks would be happy to implement this if required by conditions. Miss Monks commented that there was a taxi office and rank across the road to the venue and it was felt most people would use their mobile phone or app-based software to order a taxi.

The Licensing Unit Manager clarified that drinks would not be taken outside to the smoking area.

Councillor Walsh asked where the glass bins would be located and Mr Monks advised that there was a back yard area with high walls and every care would be taken to minimise noise levels.

The Licensing Unit Manager commented on the CCTV listed in the operating schedule and Mr Monks advised that around 8 cameras would be in operation both internally and externally. The applicants were happy to work alongside the council, police and local residents to prevent crime and minimise any noise. They are a family run business and wanted to be part of the community and be a venue that people feel safe at.

The Licensing Unit Manager reminded Members that there is a review process that can be triggered if the licensing objectives are not met to address any concerns from different organisations and the general public.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in December 2022.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

### **Delegated decision**

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations and assurances made by the applicant and in view of the agreement reached between the applicant and the Responsible Authority, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously that the Sub-Committee **grant the application for a Premises Licence in the terms requested**, subject to the following conditions:-

#### Operating Schedule

##### The Prevention of Crime & Disorder

- The premises will operate an effective CCTV system which will be maintained in good working order at all times the premises is open for business. The type of

system (YI 1080p) has motion detection and two cameras, which the positioning of is to be agreed in liaison with the police.

- The location of cameras will be recorded on the plan attached to the licence. The recording medium (e.g. discs / 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 is to provide the police with the contact details of at least two members of staff (or other person(s) ) who are 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 must notify the licensing office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24hrs.
- 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.

## Public Safety

- The bar/restaurant will be fitted carbon monoxide and smoke detectors. there are no steps or other hazards. signposting of possible hazards
- Customers will be prevented from leaving the premises with glasses or open bottles. Empty bottles must be placed into locked bins so as to prevent them from being used as weapons.
- Only plastic glasses / plastic bottles/ toughened glass will be used in the outside areas.

## The Prevention of Public nuisance

- Prominent, clear and legible notices will be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- We will ensure that music and associated other noise sources (e.g. DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time. The DPS or a member of staff will carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.



- All external doors and windows will be kept closed when music is being played
- The outside area will not to be used for licensable activities or for the consumption of alcohol after 22.00 hours daily.

#### 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 will be asked to 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 will be accepted as proof of age.
- The premises will 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 will be made available to the police / authorised officers of the Licensing Authority on request.

**COUNCILLOR G MCGILL**  
Chair

**(Note: The meeting started at 10.00am and ended at 10.55am)**

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- Minutes of:** LICENSING HEARING SUB COMMITTEE
- Date of Meeting:** 2 February 2024
- Present:** Councillor G McGill (in the Chair)  
Councillors G Marsden and M Walsh
- Also in attendance:** M. Bridge (Licensing Unit Manager)  
M. Cunliffe (Democratic Services)  
O. Osinuga (Legal Services)
- PC P. Eccleston (Greater Manchester Police)  
A. Johnson (Premises Licence Holder)  
R. Cathcart (Public)
- Public Attendance:** The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. 1 member of the public was in virtual attendance.
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**1 APOLOGIES FOR ABSENCE**

Apologies were submitted by B. Thomson, (Head of Public Protection).

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest submitted although 2 Members of the Committee placed on record that they were Councillors in the Radcliffe area. Only one of them had visited the premises but that visit was not recent.

**3 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF OVERDRAUGHT, 28/30 BLACKBURN STREET, RADCLIFFE, M26 1NQ**

The Licensing Authority received an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises the Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ. This was for a Summary Review of the Premises Licence and for interim steps to be taken in advance of that review in accordance with Sections 53A to 53C of the Licensing Act. The reason for the application was because the police believe that the premises are associated with serious crime and/or disorder.

The nature of the application and consideration of options was detailed in the report which was presented to the Members of the Sub-Committee by the Licensing Unit Manager, Mr M. Bridge.

The options available were:

- To modify the conditions of the licence
- To exclude the retail sale of alcohol from the licence
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence for a period not exceeding 3 months.
- To revoke the licence.

Following the review under section 53C, Members of the Licensing Hearings Sub-Committee must review the interim steps that are currently in place and determine whether it is

appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

Attention was drawn to background papers which included:-

Current Premises Licence

Section 53A application, Certificate and supporting evidence

Licensing Hearing Sub Committee Minutes (Interim steps hearing) 12<sup>th</sup> January 2024

On the 10<sup>th</sup> January 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of the Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ, because they believed that the premises was associated with Serious Crime and/or Disorder.

Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and a fast-track licence review.

A 10 working-day public consultation exercise had been undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application published on the Council's website.

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives

On the 12<sup>th</sup> January 2024, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing and Safety Panel considered whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.

The Panel resolved that in order to promote the said licensing objectives, it was necessary to impose interim steps and that it must modify the conditions of the licence. The reasons for the Sub-Committee's decision are attached at appendix one.

The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

The premises licence holder had not made representations against the interim steps taken by the licensing authority.

Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application

Following the review under section 53C, the licensing authority must then review any interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

The premises licence in respect of the Overdraught has been held by Mr Alistair

Scott Johnson since the 4<sup>th</sup> April 2011. Mr Johnson is the Designated Premises Supervisor since the 4<sup>th</sup> April 2011.

The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) is the relevant legislation.

The Panel will make a decision on the day of the hearing and the parties will be notified of that decision and the reasons for it.

The Chief Superintendent had issued a certificate under section 53A (1)(b) of the Licensing Act 2003 in which he stated the following:-

The premises are associated with serious crime and serious disorder.

Attached to the agenda packs at Appendix 2 was the Application by Greater Manchester Police for the Summary Review. Appendix 3 was the Certificate issued by the Chief Superintendent respectively.

Greater Manchester Police had supplied CCTV footage of the incident. This had been circulated to the Members of the Committee and the Premises Licence Holder prior to the hearing for viewing purposes.

As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of this review by placing a Notice on the premises, at the Council Offices and on the Council website. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them. The Greater Manchester Police will give evidence at the hearing.

Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-

- a. The prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

The Licensing Service have received from the Premises Licence Holder Mr Johnson the following documentation: -

- Emergency First Aid Certificate
- Invoice for the SIA Door Supervision Training booked for 5 February 2024

These were attached as Appendices 5 and 6 in the agenda pack.

The Premises Licence attached to the agenda pack at Appendix 4, showed the current licensable activities and conditions.

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.

The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken.

The Sub-Committee is asked to review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

PC P. Eccleston from Greater Manchester Police provided a summary of the application for a review at the meeting.

*At 00:16 hours on Saturday 6<sup>th</sup> January 2024, Greater Manchester Police received a report of a stabbing at Overdraught, 28-30 Blackburn Street, Radcliffe.*

*Witness statements have been obtained and the premises CCTV footage has been reviewed. The circumstances of this incident are at approximately 23:45 hours, two male perpetrators have entered the above licensed premises. Police are not aware of any incidents occurring inside however upon exiting, approximately 10 minutes later, a conversation has taken place between the perpetrators and other customers. At present, the content of those conversations are unknown however a fight has ensued near to the main entrance/exit.*

*Witnesses to the incident report seeing a 2inch blade being used by one off the perpetrators and two other customers who were victim to the attack received some serious injuries which included:*

*Victim 1: 2cm laceration to the left side of his face, close to the eye socket and a 6cm laceration to his left arm, just below the elbow. Swollen right elbow.*

*Victim 2: 2cm laceration to the back of the head, close to the base of the skull.*

*Both victims required hospital treatment, one of which fell unconscious and unresponsive later in the morning.*

*No door supervision were on duty at the time of this incident and although the premises license does not require the employment of door supervisors on a weekly basis, it is my opinion that this incident may have been avoided had they been employed. For that reason, it is my opinion that an expedited review of the premises is necessary to allow the licensing authority to review/amend the license conditions and prevent a reoccurrence of such serious crime and disorder in the future.*

CCTV footage from the premises which had been previously shared with the Committee was played to those in attendance with PC Eccleston highlighting key points of interest from the clip. There was no audio with the footage which made it harder to understand what may have started the incident.

The opinion of GMP was that if door staff had been present then the incident was likely to have not occurred or may have been prevented with the searching of patrons as they entered the premises. The venue traded like a nightclub and if this was in Bury Town centre, door staff would be required as part of the licence. The location was in isolation and away from regular police patrols.

PC P. Eccleston presented to the hearing what conditions they would like to be placed on the licence such as door staff, searches, prevention of loitering, challenge 25 scheme, incident logs, last entry and door closures by a set time.

The premises licence holder, Mr A. Johnson showed to the hearing via his camera, a metal detector body scanner which had been purchased to aid with any searches required.

Members questioned PC Eccleston on the incident and what measure could help prevent a repeat. Clarification was also sought on the term loitering and the law in relation to carrying a bladed article in public.

GMP were of the opinion that door staff could have found the knife upon searches whilst the offenders entered and it could have been seized with the individuals refused entry. It would also act as a visual deterrent for anyone carrying a weapon helping to prevent such incidents.

Upon questioning by the Chair, PC Eccleston confirmed there was no previous history of incidents at the premises in the last 5 years apart from one assault on Mr Johnson who he considered to be a good licence holder. There had been no issues obtaining the CCTV and Mr Johnson had fully cooperated with GMP on the night and since the incident.

Mr Johnson explained that he felt door staff were not necessary and reminded Members that himself and a friend were booked on a course between the 5<sup>th</sup>-10<sup>th</sup> February to become SIA registered and further educate themselves on customer safety. He normally closed his doors at 11.30pm as he didn't want drunk customers with little money entering the premises after that time. Around 70% of his customers were regulars and body searches upon entering may be off putting for new and existing customers.

Mr R. Cathcart who was a former Councillor, was in attendance at the meeting and provided a supporting statement on behalf of Mr Johnson.

As part of the summing up process a discussion took place on possible amendments to the licence conditions.

The Sub-Committee then duly retired to consider the matter and all of the information provided.

The Members of the Sub-Committee were advised by the Legal Adviser as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to relevant provisions of national guidance and the Council's licensing policy statement.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented at the meeting.

### **DELEGATED DECISION**

The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously **resolved to modify the conditions of the licence** in order to promote the licensing objectives.

The Sub-Committee also reviewed the interim steps and unanimously **resolved to withdraw the interim steps in place due to these being included as new conditions on the licence.**

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean modifications were necessary for some amendments to the current premises licence under the licensing objectives recommended by GMP, these were as follows:-

Prevention of Crime and Disorder:-

- An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised Officer of the licensing authority, which will record the following incidents including pertinent details:
  - a- all crimes reported to the venue, or by the venue to the police
  - b- all ejections of patrons
  - c- any incidents of disorder
  - d- any faults in the CCTV system
  - e- any visit by a relevant authority or emergency service
- All licensable activity is to cease half an hour prior to closure to allow drinking up time and the safe dispersal of patrons.

Prevention of Public Nuisance:-

- 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.
- Those patrons who wish to smoke or vape would be directed to the beer garden at the rear of the premises.

Protection of Children from Harm:-

- The premises will operate a "Challenge 25" proof of age policy and signage to this 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.

An advisory issued by the Committee, included:-

- The quality of images from the external CCTV could be improved and an additional camera may be required or the existing CCTV re-positioned.

The evidence presented at the meeting had demonstrated the following licensing objectives had not been met and failed the:-

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance

The reasons by the sub-committee, included:-

- The serious nature of the incident.



- The new measures would help prevent any similar incidents in the future.

**COUNCILLOR G MCGILL**  
Chair

**(Note: The meeting started at 10.00am and ended at 12.10pm)**

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**Minutes of:** LICENSING HEARING SUB COMMITTEE

**Date of Meeting:** 18 March 2024

**Present:** Councillor G McGill (in the Chair)  
Councillors G Marsden and M Walsh

**Also in attendance:** M. Bridge (Licensing Unit Manager)  
M. Cunliffe (Democratic Services)  
C. Riley (Legal Services)

H Longworth (Applicant)  
N Simmons (Designated Premises Supervisor)

**Public Attendance:** The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public or media were in virtual attendance.

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**1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted from B Thomson- Head of Public Protection. No representors were in attendance.

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**3 APPLICATION FOR A VARIATION TO A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF THE BOWER, 403 BOLTON ROAD WEST, RAMSBOTTOM, BL0 9RN**

The Licensing Authority received an application to vary a Premises Licence under section 34 of the Licensing Act 2003 in respect of The Bower, 403 Bolton Road West, Ramsbottom, BL0 9RN. One representation had been received from an interested party.

The applicant for the licence in respect of the above premises is The Bower (NW) Limited, 403 Bolton Road West, Ramsbottom, BL0 9RN. Mr Nicholas Andrew Simmons is the Designated Premises Supervisor (DPS) at these premises since the 29<sup>th</sup> January 2024.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

The Licensing Unit Manager presented the report and 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

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

The application is for the variation of a Premises Licence under Part 3 of the Licensing Act 2003.

The Current operating schedule below was detailed in the agenda packs and the conditions currently attached to the existing premises licence were attached at appendix 1.

**Supply of alcohol – For consumption on the Premises.**

Tuesday to Thursday	11.00 to 16.30
Friday to Saturday	11.00 to 21.30
Sunday	10.30 to 14.30

**Live Music (Indoors)**

Tuesday to Thursday	09.30 to 17.00
Friday to Saturday	09.30 to 22.00
Sunday	10.00 to 15.00

**Recorded Music (Indoors)**

Tuesday to Thursday	09.30 to 17.00
Friday to Saturday	09.30 to 22.00
Sunday	10.00 to 15.00

**Hours open to the Public**

Tuesday to Thursday	09.30 to 17.00
Friday to Saturday	09.30 to 22.00
Sunday	10.00 to 22.00

The Proposed Variations below was detailed in the agenda packs.

**Proposed Variation – Opening Hours**

Sunday to Thursday	10.00 to 00.00
Friday to Saturday	10.00 to 01.30

**Seasonal Variations**

Christmas Eve	10.00 to 01.00
New Years Eve	10.00 to 01.00
Sundays Preceding	
Bank Holiday Monday	10.00 to 01.00
Thursday preceding	
Good Friday	09.30 to 01.00

**Supply of alcohol – For consumption On/Off the Premises.**

Monday to Sunday	0.00 to 00.00
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**Seasonal Variations**

Christmas Eve	10.00 to 01.00
New Years Eve	10.00 to 01.00
Sundays Preceding	
Bank Holiday Monday	10.00 to 01.00
Thursday preceding	
Good Friday	09.30 to 01.00

**Provision of Late-night Refreshment**

Monday to Sunday	23.00 to 00.00
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**Seasonal Variations**

Christmas Eve	23.00 to 01.00
New Years Eve	23.00 to 01.00
Sundays Preceding	
Bank Holiday Monday	23.00 to 01.00
Thursday preceding	
Good Friday	23.30 to 01.00

It was noted that the timings on the application were only applicable after 11.00pm due to the implementation of the Live Music Act 2012 which now permits the premises to have regulated entertainment (Live Music and Recorded Music) Monday to Sunday between 8.00 until 23.00.

Only one (Not three as stated in the agenda pack report) relevant representations from an interested parties had been received against this application. A summary of this is detailed below:-

- Noise
- Residential area

The representation was attached at Appendix 2 in the agenda packs.

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.

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.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

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

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

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

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.

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.

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

Ms Hannah Longworth Mr Nick Simmons addressed the sub committee and told Members they were not wanting to open anything that would create excessive noise levels or be a rowdy business. There would only be occasional live music and this would be in the form of an acoustic guitar for a restaurant type setting in the afternoon. The majority of tables only seated 2 people and there would not be large groups unless an event such as a baby shower had been booked. Whilst the application stated midnight closing during the week it was not intended to open until that late time. The capacity of the venue was around 30 and the applicant reassured Members they were applying for the right reasons and not to create a noisy venue. A head chef was employed and the venue was to be child friendly.

Upon questioning by Members about the midnight closing, it was stated that this would cover any special events such as New Years Eve.

Members also enquired if the local community had been engaged with. It was stated by Mr Simmons that social media had been used to update on the refurbishment and Ms Longworth had personally visited most of the local business premises. She had communicated with neighbours but had encountered problems liaising with those who lived in the nearby apartments due to intercom related access issues. Mr Simmons stressed food would be the main priority for the establishment.

As the representor was not present at the meeting, the Licensing Unit Manager reminded Members that there is a review process that can be triggered if the licensing objectives are not met to address any concerns from different organisations and the general public.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

### **Delegated decision**

All of the evidence was considered with care, considering the representation and assurances made by the applicant the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously that the Sub-Committee **grant the variation application in the terms requested**, subject to the existing conditions:-

#### Operating Schedule

This licence is granted subject to any Mandatory Conditions imposed by the Licensing Act 2003, and conditions volunteered on the application form to be undertaken by the applicant and where necessary, conditions imposed by the Licensing Authority in order to promote the Licensing Objectives.

#### Mandatory Conditions:

a No supply of alcohol may be made under the Premises Licence at a time when there is no Designated Premises Supervisor (DPS) in respect of the Premises Licence OR

at a time when the Designated Premises Supervisor does not hold a Personal Licence or his/her Personal Licence has been suspended.

b Every supply of alcohol under the Premises Licence must be made or authorized by a person who holds a Personal Licence.

c Any Door Security staff employed to carry out a security activity at the premises must be licensed with the Security Industry Authority (SIA).

d. In respect of the exhibition of films as mentioned below:

1 The admission of children to the exhibitions of any film is restricted as follows:

2 Where the film classification body is specified in the licence, unless 3(b) below applies, the admission of children is restricted in accordance with any recommendation of that body.

3 Where:-

(a) the film classification body is not specified in this licence, or

(b) the licensing authority has notified the holder of the licence that this subsection applies to the film in question,

the admission of children is restricted in accordance with any recommendation made by the licensing authority.

4 In relation to the above:

“children” means persons under the age of 18 years; and

“film classification body” means the persons or person designated as the authority under section 4 of the Video Recordings Act 1984.

Mandatory Conditions pursuant to The Licensing Act 2003

Mandatory Licensing Conditions (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise)

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective



(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

(i) beer or cider: ½ pint

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml, and

(iii) still wine in a glass: 125 ml

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Definition:

Responsible person - as defined by section 153 (4) Licensing Act 2003 -

- (a) In relation to a licensed premises -
  - (i) the holder of a premises licence in relation to a premises
  - (ii) the designated premises supervisor (if any) under such a licence
  - (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor.
- (b) In relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables him to prevent the supply in question.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) “permitted price” is the price found by applying the formula-

where-

$$P = D + (D \times V)$$

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions Consistent with the operating schedule**

We have CCTV in operation at all times, with cameras over the bar area, on the stairs, one facing the entrance, one upstairs and two external cameras for the entrance and the rear of the property, we have external lighting as well.

We will be members of the PubWatch scheme and attend the meetings.

We will have signs asking the public to leave the premises quietly. The music will not be above an acceptable level.

We will have a Challenge 25 scheme in place where we ask youngsters that look under 25 for their ID. It is illegal to sell alcohol to any person under 18 years old.

**COUNCILLOR G MCGILL**  
**Chair**

**(Note: The meeting started at 1.00pm and ended at 1.28pm)**

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<b>Classification</b>	<b>Item No.</b>
Open	

<b>Meeting:</b>	Licensing Hearings Sub-Committee
<b>Meeting date:</b>	26 March 2024
<b>Title of report:</b>	An application from Greater Manchester Police for a Summary Review of the premises licence in respect of Metro Off Licence, 66 Spring Lane, Radcliffe, M26 2SZ
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	Radcliffe East

### Executive Summary:

This report relates to an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises, Metro Off Licence, 66 Spring Lane, Radcliffe, M26 2SZ, for a Summary Review of the Premises Licence and for interim steps to be taken in advance of that review in accordance with Sections 53A to 53C of the Licensing Act. The reason for the application is because the police believe that the premises are associated with serious crime.

### Recommendation

#### Options & recommended option

- To consider whether to impose interim steps

The steps available are:

- To modify the conditions of the licence
- To exclude the retail sale of alcohol from the licence
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence.

### Key considerations

This is a Council Function that is delegated to the Licensing Hearings Sub-Committee by the Council's Constitution.

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**Community impact / Contribution to the Bury 2030 Strategy**

Not applicable

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**Equality Impact and considerations:**

A GM-wide Equality Impact Assessment has been undertaken and a copy is available on request.

*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.*

*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*

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Not applicable	

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**Consultation:**

Not applicable

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**Legal Implications:**

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

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**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.

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**Report Author and Contact Details:**

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Deputy Licensing Officer  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ      Tel: 0161 253 7206    Email: laura.j.jones@bury.gov.uk

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

Term	Meaning
DPS	Designated Premises Supervisor

**Background papers:**

Current Premises Licence  
Section 53A application, Certificate and supporting evidence  
Bury Council's Licensing Policy  
Guidance issued under Section 182 of the Licensing Act 2003  
Licensing Act (Hearings) Regulations 2005

**1.0 INTRODUCTION**

- 1.1 This report relates to an application by the Chief Constable of Greater Manchester in respect of the licensed premises known as Metro Off Licence, 66 Spring Lane, Radcliffe, M26 2SZ, for a summary review of the premises licence due to the premises being associated with serious crime. The Licensing Authority must consider whether interim steps are required pending a full summary review hearing.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and for the review of the licence to be fast tracked
- 1.3 A 10 working-day public consultation exercise is undertaken in accordance with Licensing Act 2003 regulations, requiring the application to be advertised by the displaying of a blue

notice at or on the premises and details of the application to be published on the Council's website.

- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.
- 1.6 The premises licence in respect of Metro Off Licence has been held by Mr Mohammad Shafqat since 3 October 2022. Mr Shafqat is also the Designated Premises Supervisor and has been since 23 December 2022.
- 1.7 The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) is the relevant legislation.
- 1.8 The Local Authority is required to consider whether interim steps should be imposed for the promotion of the licensing objectives and what the steps should be. Any such measures and the reasons for them must be immediately notified to the premises licence holder.
- 1.9 The Panel will make a decision in relation to interim steps 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.

## **2.0 BACKGROUND**

- 2.1 The Chief Superintendent has issued a certificate under section 53A (1)(b) of the Licensing Act 2003 in which he states the following:-

*On Thursday 29th February 2024, a test purchase was carried out at Metro Off Licence, 66 Stand Lane, Radcliffe, M26 2SZ which had been organised by Bury Council Trading Standards Department. A successful purchase was made of a pack of 20 Lambert and Butler cigarettes in none standardised packaging for £7 as such it did not comply with the Tobacco and Related Products Regulations 2016.*

*As a result of the test purchase, at 15:50 hours on Thursday 21st March 2024, PC Eccleston (Bury Divisional Licensing Officer), Kelly Halligan (Bury Council Trading Standards Unit Manager), Laura Jones (Bury Council Deputy Licensing Officer), Lucy Sutton (Dog Handler from DC Detection Dogs), and Immigration Officers, attended the same address as part of Greater Manchester Police's day of action, Operation Avro.*

*During the search of the premises, a quantity of illicit tobacco and vapes were recovered inside. Further to the above illegal activity, the most worrying aspect of this visit, was the recovery of what can only be described as a machete with a blade over 12 inches long and a hockey stick which were stored under the shop serving counter.*

*There is no legitimate reason as to why these items would be kept on a licensed premises, other than to cause serious harm to someone and considering the premises is open to members of the public, it is illegal to have such items under Section 1 of the Prevention of Crime Act 1953 (possession of an offensive weapon).*

*It is for those reasons, that in my opinion an expedited review of the premises licence is necessary to impose interim steps such as the suspension of the premises licence and to allow the licensing authority to review the licence at a full review hearing.*



Attached to this report at Appendix 1 is the Application by Greater Manchester Police for the Summary Review and at Appendix 2 the Certificate issued by the Chief Superintendent.

### **3.0 CURRENT LICENSABLE ACTIVITIES**

3.1 The Premises Licence shows the current licensable activities and conditions and is attached at Appendix 3.

### **4.0 DETERMINING THE APPLICATION FOR INTERIM STEPS TO BE IMPOSED**

4.1 In determining whether or not to impose interim steps, pending the summary review of the premises licence which must be held within 28 days from the date of the application being received, members must consider the information presented in relation to serious crime and or serious disorder. If members decide to impose interim steps, the following options are available to the Licensing Authority:

- a. To modify the Conditions attached to the licence
- b. The exclusion of the sale of alcohol from the scope of the licence.
- c. The removal of the Designated Premises Supervisor from the licence.
- d. Suspension of the premises licence

4.2 For the purposes of subsection 4.1a, the conditions of a premises licence are modified if any of them are altered or omitted or any new condition is added.

### **5.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003**

5.1 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.

5.2 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.

5.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

### **6.0 CONCLUSION**

6.1 A licensing authority must carry out its functions under the 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.

- 6.2 In reaching the decision, regard must be had to the relevant provisions of the national guidance and the Council's licensing policy statement.
- 6.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.
- 6.4 In making its decision with regard to this interim steps hearing, the steps the Sub-Committee can take are:
- a) To modify the conditions of the licence;
  - b) To exclude any of the licensable activities from the licence;
  - c) To remove the designated premises supervisor;
  - d) To suspend the licence
- 6.5 The conditions of the licence, with the exception of the mandatory conditions of the premises licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 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.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 The Sub-Committee is asked to determine what steps, as set out in 6.4 above, are appropriate for the promotion of the licensing objectives.

**GREATER MANCHESTER POLICE**

**SCHEDULE 8A**

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

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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I. Police Constable 15913 Peter Eccleston

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(on behalf of) the chief officer of police for the police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details**

**Postal address of premises.**

Metro Off Licence

**Post town:** Radcliffe, Bury

**Postcode:** M26 2SZ

**2. Premises licence details**

**Name of Premises licence holder (if known);**

Mr Mohammad Shafqat

**Number of Premises Licence**

PL0796

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003**

I confirm that a certificate has been given by a senior member of the police force for the police area above, that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

*(Please tick the box to confirm)*

X

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

These premises are associated with serious crime:

Premises License Holder (PLH) and Designated Premises Supervisor (DPS) of Metro Off Licence, 66 Spring Lane, Radcliffe, is a Mr Mohammad Shafqat. The premises licence was transferred to him on the 3<sup>rd</sup> October 2022 and on the 23<sup>rd</sup> December 2022, the license was varied, nominating himself as the DPS.

The circumstances of this incident are as follows:

On Thursday 29<sup>th</sup> February 2024, a test purchase was carried out at the above licensed premises which had been organised by Bury Council Trading Standards Department. A successful purchase was made of a pack of 20 Lambert and Butler cigarettes in none standardised packaging for £7 as such it did not comply with the Tobacco and Related Products Regulations 2016.

As a result of the test purchase, at 15:50 hours on Thursday 21<sup>st</sup> March 2024, Kelly Halligan (Bury Council Trading Standards Unit Manager), Laura Jones (Bury Council Deputy Licensing Officer), Lucy Sutton (Dog Handler from DC Detection Dogs), Immigration Officers and I, attended the above address as part of Greater Manchester Police's day of action, Operation Avro.

On entering the premises, we were greeted by a male member of staff who introduced himself as Adrees Masood. Mr Masood was behind the serving counter at the time and claimed that he was only helping out at the shop. Whilst looking around the store, the dog and handler, went behind the counter and x4 packets of 20 Lambert and Butler cigarettes which were in the same, none standardised packaging as the packet recovered during the test purchase were found. Also found under the counter was a large machete with a blade over 12 inches in length and a hockey stick. As the search continued, 49 disposable vapes which exceeded the maximum capacity and therefore contravened the Tobacco and Related Product Regulations 2016 were also recovered. The cigarettes and the disposable vapes were seized by Kelly Halligan who has provided her own statement and photographs of the machete and hockey stick at appendix A.

There is no legitimate reason as to why a machete or hockey stick would be kept on any licensed premises, other than to cause serious harm to someone in the event of a robbery or other similar theft related incident. Considering this premise is open to members of the public, it is illegal to have such items under Section 1 of the Prevention of Crime Act 1953 (possession of an offensive weapon). As such, I seized the items as exhibits PE/1 and PE/2 respectively and a picture of the items have been included in appendix B.

Although no other items were recovered as evidence, we did find copies of the lease agreement for the premises which named two other individuals which had signed the agreement. The third named person was Mr Masood however there was no signature next to his details. He was asked numerous questions in relation to his involvement in the business and he continued to claim that he had nothing to do with and had only been working in the store over the last couple of weeks as a shop assistant.

At the time, there was some confusion as to who the premises license holder and designated premises supervisor were as the business was had recently been bought and was under new management. As such further enquiries were made by Laura Jones from Bury Council Licensing Department who was able to make contact with the named PLH and DPS, Mr Shafqat later that day. He claimed that he sold the business.

on the 1<sup>st</sup> November 2023 to a Qasim (no further details provided) and as far as he was concerned, has had nothing more to do with the business since. This conversation was confirmed via email which has been included at appendix C.

Due to the email received from Mr Shafqat, I returned to the premises in company with Bury Council Licensing Enforcement Officer, Luke Solczak on the following day, Friday 22<sup>nd</sup> March 2024. We spoke to a different member of staff stood behind the counter who introduced himself as Bardh Patel. He insisted that we spoke to his 'boss' and so rang him on his mobile phone and both I and Luke were able to have a conversation via the loudspeaker facility. The male we spoke to introduced himself as the owner of the business and provided his personal details, introducing himself as Mohammed Quasim Khan. We explained that because of the email from Mr Shafqat, there was no DPS in place to authorise the sale of alcohol and therefore was in breach of the Licensing Act and as such was required to either remove the alcohol from the store or close the business until such time the premises license could be transfer and a new DPS be nominated. At the time the request was complied with, and he informed us both that he would be in touch with the previous DPS, Mr Shafqat to see if he would reconsider.

I also took the opportunity to ask him questions in relation the machete which was found under the counter. He claimed that the machete had been taken off someone who attempted to rob the shop early in the previous week. He claimed that a report had been made to the police and police had attended to collect CCTV which had captured the individuals responsible but not them entering with the machete or being confronted and having the machete taken from them. What I do find extraordinary about Mr Khans account is the CCTV's ability to capture those responsible but not the machete or the confrontation as the machete is being removed from those that have entered. Furthermore, and what is even more suspicious, is the claim that police had been contacted and had been to the store to recover CCTV, yet the machete was never handed over the police and on checking police computer systems, there is no record of a report being made to Greater Manchester Police. In fact, the last reported incident to the police which involved the premises directly was on the 20<sup>th</sup> October 2023, which was in relation to a robbery.

Since the conversation with Mr Khan, a further email has been received by Bury Council Licensing Department from Mr Shafqat, asking to be reinstated as DPS at the premises. This email has been included at appendix D.

It is my opinion that an expedited review of the premises licence is necessary to allow the licence authority to impose interim steps not only for the safety of the staff but also members of the public. It is quite clear for all to see, that they are unable to run the business within the limits of the relevant laws and legislation. Having a lethal weapon on the premises plus offering for sale illicit tobacco products is not in any way promoting the licensing objectives and it is for those reasons that as a delegated licensing officer acting on behalf of the Chief Officer, I am requesting the panel to seriously consider the DPS be removed from the license and the premises license be suspended until such time a full review hearing can be heard due to the likelihood that the licensing objectives will continue to be undermined.

**Signature of Applicant:**

 PC 15913.

**Date: 22<sup>nd</sup> March 2024**

**Capacity: Police Licensing Officer**

**Contact details for matters concerning this application:**

**Address; Divisional Licensing Officer, Greater Manchester Police, Dunster Rd,  
Bury, BL9 0RD**

**Telephone number: 0161 856 2256**

**Email: 15913@gmp.police.uk**

Greater Manchester Police, Bury, BL9 0RD

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

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder<sup>1</sup>.

*Premises*<sup>2</sup>:

Metro Off Licence, 66 Spring Lane, Radcliffe, Bury, M26 2SZ

Premises licence number (if known): PL0796

Name of premises supervisor (if known): Mr Mohammad Shafqat

I am a Chief Superintendent<sup>3</sup> in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

These premises are associated with serious crime:

On Thursday 29<sup>th</sup> February 2024, a test purchase was carried out at Metro Off Licence, 66 Stand Lane, Radcliffe, M26 2SZ which had been organised by Bury Council Trading Standards Department. A successful purchase was made of a pack of 20 Lambert and Butler cigarettes in none standardised packaging for £7 as such it did not comply with the Tobacco and Related Products Regulations 2016.

As a result of the test purchase, at 15:50 hours on Thursday 21<sup>st</sup> March 2024, PC Eccleston (Bury Divisional Licensing Officer), Kelly Haligan (Bury Council Trading Standards Unit Manager), Laura Jones (Bury Council Deputy Licensing Officer), Lucy Sutton (Dog Handler from DC Detection Dogs) and Immigration Officers, attended the same address as part of Greater Manchester Police's day

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

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

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

of action, Operation Avro.

During the search of the premises, a quantity of illicit tobacco and vapes were recovered inside. Further to the above illegal activity, the most worrying aspect of this visit, was the recovery of what can only be described as a machette with a blade over 12inches long and a hockey stick which were stored under the shop serving counter.

There is no legitimate reason as to why these items would be kept on a licenced premises other than to cause serious harm to someone and considering the premises is open to members of the public, it is illegal to have such items under Section 1 of the Prevention of Crime Act 1953 (possession of an offensive weapon).

It is for those reasons, that in my opinion an expedited review of the premises licence is necessary to impose interim steps such as the suspension of the premises licence and to allow the licensing authority to review the license at a full review hearing.

.....  
(Signed) *A. Cls LPT MILL* (Date) *22/3/24*



Licensing Act 2003  
**Premises Licence**

# PL0796

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Metro Off Licence

66 Spring Lane, Radcliffe, Greater Manchester, M26 2SZ.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday - Saturday	8:00am	11:00pm
	Sunday	10:00am	10:00pm

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

## Part 2

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mohammad Shafqat  
[MO.SHAFQAT@YAHOO.COM](mailto:MO.SHAFQAT@YAHOO.COM)

20 Wigsby Avenue, Manchester, Manchester, M40 0FL.  
Telephone 07492460713

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mohammad SHAFQAT

20 Wigsby Avenue, Manchester, Manchester, M40 0FL.  
Telephone 07492460713



**BURY COUNCIL**

Licensing Unit  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

Telephone 0161 253 5208

22/03/2024

Licensing Act 2003  
**Premises Licence**

**PL0796**

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 284010

Issued by Manchester

Licensing Act 2003  
**Premises Licence****PL0796**

## ANNEXES

LICENSING ACT 2003CONDITIONS ATTACHED TO THE GRANT OF THIS LICENCE

This licence is granted subject to any Mandatory Conditions imposed by the Licensing Act 2003, and conditions volunteered on the application form to be undertaken by the applicant and where necessary, conditions imposed by the Licensing Authority in order to promote the Licensing Objectives.

## Mandatory Conditions:

a No supply of alcohol may be made under the Premises Licence at a time when there is no Designated Premises Supervisor (DPS) in respect of the Premises Licence OR at a time when the Designated Premises Supervisor does not hold a Personal Licence or his/her Personal Licence has been suspended.

b Every supply of alcohol under the Premises Licence must be made or authorized by a person who holds a Personal Licence.

Mandatory Conditions pursuant to The Licensing Act 2003  
Mandatory Licensing Conditions (Amendment) Order 2014

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Licensing Act 2003  
**Premises Licence**

# PL0796

ANNEXES continued ...

Definition:

Responsible person - as defined by section 153 (4) Licensing Act 2003 -

(a) In relation to a licensed premises -

- (i) The holder of a premises licence in relation to a premise
- (ii) The designated premises supervisor (if any) under such a licence.
- (iii) Any individual aged 18 or over who is authorized for the purposes of this section by such a holder or supervisor.

(b) In relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables him to prevent the supply in question.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

Where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a

Licensing Act 2003  
**Premises Licence**

# PL0796

ANNEXES continued ...

licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and  
(e) "Value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions Consistent with the Operating Schedule

1 CCTV will be recorded daily and checked at the end of each day. Daily incidents / activities will be recorded throughout the day.

2 A daily log of the day to day business and security shall be recorded for the Police and authorities to inspect recording any incidents, staff on duty etc.

3 Regular surveillance will be monitored outside the premises to prevent noise and gangs loitering.

4 A "Challenge 21" policy will be operated and signage to this effect will be prominently displayed on the premises. Only photo ID (eg driving licence and passport) should be accepted.

5 A "Refusals Book" shall be maintained showing details of when a refusal to sell alcohol takes place. This book is to be made available to the Police / Licensing Authority for inspection upon request.

**BURY COUNCIL**

Licensing Unit  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

Telephone 0161 253 5208

22/03/2024

Licensing Act 2003  
**Premises Licence**

**PL0796**

**Micha**

Signature of Authorised Officer

Licensing Act 2003

## Premises Licence Summary

# PL0796

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Metro Off Licence

66 Spring Lane, Radcliffe, Greater Manchester, M26 2SZ.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday - Saturday	8:00am	11:00pm
	Sunday	10:00am	10:00pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mohammad Shafqat

20 Wigsby Avenue, Manchester, Manchester, M40 0FL.

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

#### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mohammad SHAFQAT

#### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Challenge 21 Policy to be in operation as per the conditions on the licence.

Licensing Act 2003

**Premises Licence Summary**

**PL0796**

**M**

Signature of Authorised Officer



# APPENDIX: A

## DESCRIPTION:

**Statement and Photographs  
provided by TS: Kelly Halligan**



-----  
**STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r. 16.2;  
Criminal Justice Act 1967, s. 9)*

**STATEMENT OF Kelly Halligan**

**Age of witness (if over 18, enter "over 18"):** Over 18

**This statement (consisting of 1 page) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.**

I am employed by Bury Council, in the Department of Operations, in the Trading Standards Section, as a Trading Standards Unit Manager. On the 29<sup>th</sup> February 2024, a test purchase was carried out at Metro Off Licence, 66 Spring Lane, Radcliffe, M262SZ. Purchased was 20 Lambert and Butler for £7 and the packaging was incorrect as not in standardised packaging and therefore did not comply with the Tobacco and Related Product Regulations 2016. On the 21<sup>st</sup> March 2024, as part of Operation Avro, we revisited the premises, I was accompanied by PC Eccleston from Greater Manchester Police, Laura Jones Deputy Licensing officer at Bury Council, Luci Sutton a dog handler from DC Detection dogs and officers from Immigration. Whilst in the shop we had a look around at the stock, that was on sale. Behind the counter was Adrees Masood who stated he was just helping out. The dog and his handler went behind the counter and found under the counter 4 packets of Lambert and Butler, similar to the test purchase, not in standardised packaging, the dog handler also found a large machete and a hockey stick which she placed on the counter, in front of me, I notified PC Eccleston of these items. I produce a picture of the items as exhibit KH/Metro/1 signed and dated by me. We continued to look around the shop and found 49 disposable vapes which exceeded maximum capacity and therefore did not comply with the Tobacco and Related Product Regulations 2016. The vapes and the cigarettes were seized by me and I



left Mr Masood with a receipt and a notice of powers and rights, to hand to the owner. I produce copies of these as exhibit KH/Metro/2, signed and dated by me.

*K Halligan*

*K Halligan*

Signed: ..... (witness)

Date: .....22/3/24.....



# APPENDIX: B

## DESCRIPTION:

Photographs of machete and hockey stick provided by PC Eccleston.



# APPENDIX: C

**DESCRIPTION:**

**Email confirming named DPS resigning from position.**

**From:** [Jones, Laura J \(Licensing\)](#)  
**To:** [mo.shafqat@yahoo.com](mailto:mo.shafqat@yahoo.com)  
**Subject:** RE: PREMISES LICENSE  
**Date:** 22 March 2024 09:54:02  
**Attachments:** [image001.png](#)

---

**Caution: This email came from outside GMP. Do not open attachments, click on links or scan QR codes in this email unless you recognise the sender's e-mail address and know the content is safe.**

Dear Mr Shafqat

As explained during our telephone conversation yesterday we cannot just update our records. The licence must either be transferred by Qasim into his name or you must cancel the licence in writing returning the licence to us.

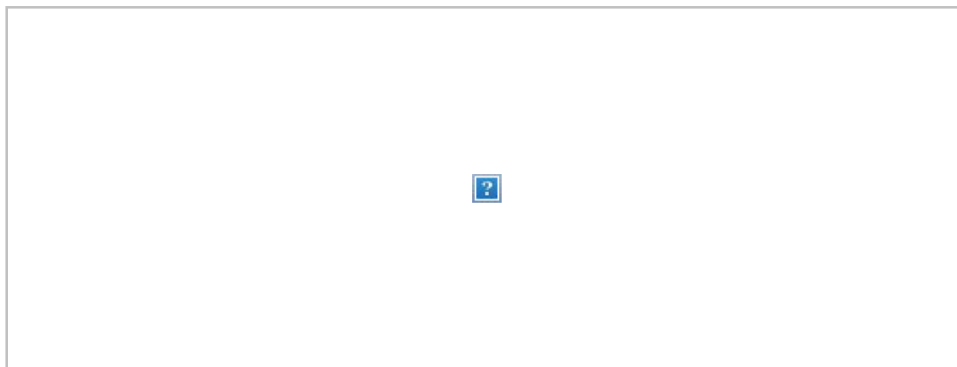
These are the only two ways in which the licence can be taken out of your name. Until either of these done the licence remains in your name.

Regards

Laura Jones  
Deputy Licensing Officer

Licensing Service  
Operations Department  
Public Protection

Licensing information and online forms can be found at our webpages at [Licences and permits - Bury Council](#)



---

**From:** Licensing <[Licensing@bury.gov.uk](mailto:Licensing@bury.gov.uk)>  
**Sent:** Friday, March 22, 2024 9:30 AM  
**To:** Jones, Laura J (Licensing) <[Laura.J.Jones@bury.gov.uk](mailto:Laura.J.Jones@bury.gov.uk)>  
**Subject:** FW: PREMISES LICENSE  
**Importance:** High



---

**From:** Shafqat Mo <[mo.shafqat@yahoo.com](mailto:mo.shafqat@yahoo.com)>

**Sent:** Friday, March 22, 2024 9:25 AM

**To:** Licensing <[Licensing@bury.gov.uk](mailto:Licensing@bury.gov.uk)>

**Subject:** PREMISES LICENSE

Hi there

This is a confirmation that I am no longer at Texco Metro Express Ltd 66 Spring lane Manchester M26 2SZ, there has been a new owner since 1st November 2023.

New owner: Qasim, Mobile number 07730045458

Previous shop owners: Mohammad Shafqat & Noman Javaid

Please update your records.

Thanks

Sent from my iPhone

# APPENDIX: D

## DESCRIPTION:

Email confirming named DPS wanting to be reinstated as DPS

**From:** [Jones, Laura J \(Licensing\)](#)  
**To:** [Peter Eccleston](#)  
**Subject:** FW: Premises license  
**Date:** 22 March 2024 15:38:43  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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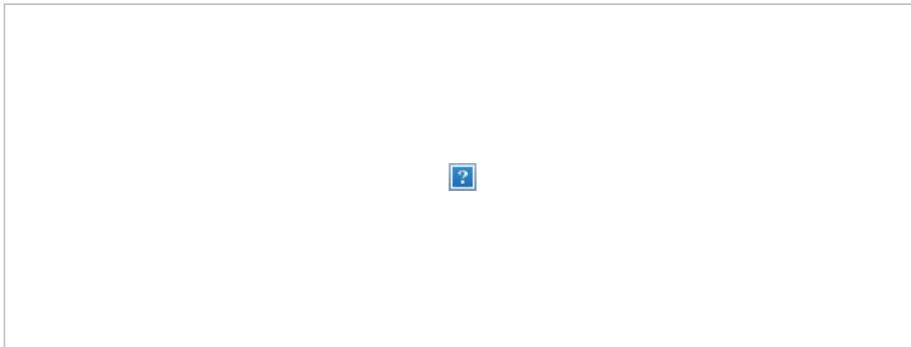
**Caution: This email came from outside GMP. Do not open attachments, click on links or scan QR codes in this email unless you recognise the sender's e-mail address and know the content is safe.**

Confirmation below

Laura Jones  
Deputy Licensing Officer

Licensing Service  
Operations Department  
Public Protection

Licensing information and online forms can be found at our webpages at [Licences and permits - Bury Council](#)



---

**From:** Solczak, Luke <L.Solczak@bury.gov.uk>  
**Sent:** Friday, March 22, 2024 3:15 PM  
**To:** REDACTED  
**Subject:** RE: Premises license

Thank you for confirming you agree to the conditions.

Regards,

Luke Solczak  
Licensing Enforcement Officer

Bury Council | 3 Knowsley Place | Duke Street | Bury | BL9 0EJ



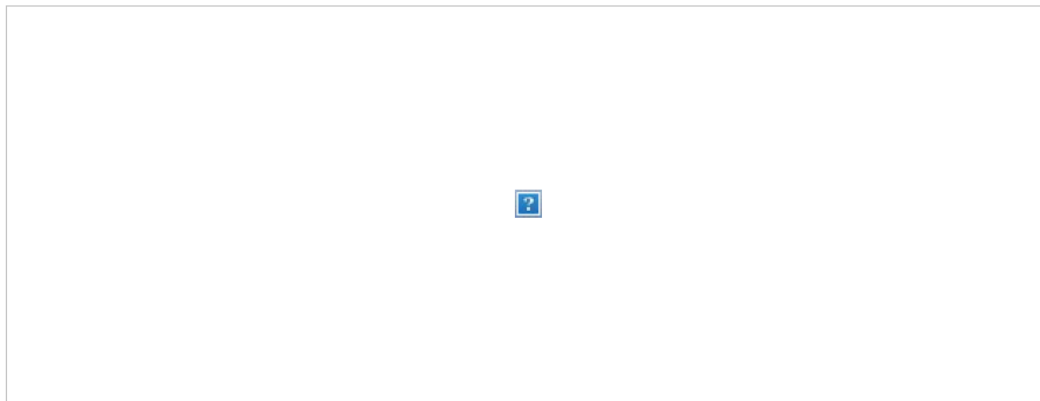
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**Privacy Policy**

please visit [www.bury.gov.uk/privacy](http://www.bury.gov.uk/privacy) to read our recently updated Privacy Policy which explains how Bury Council uses and shares your personal data to give you the best possible experience across our services.



---

**From:** Shafqat Mo **REDACTED**  
**Sent:** Friday, March 22, 2024 3:14 PM  
**To:** Solczak, Luke <[L.Solczak@bury.gov.uk](mailto:L.Solczak@bury.gov.uk)>  
**Subject:** RE: Premises license

Hi Luke

I agree to the below conditions.

Thanks

[Yahoo Mail: Search, organise, conquer](#)

On Fri, 22 Mar 2024 at 15:01, Solczak, Luke <[L.Solczak@bury.gov.uk](mailto:L.Solczak@bury.gov.uk)> wrote:

Good afternoon,

Thank you for your email.

Please can you confirm the following.

- You will take full responsibility of the premise (Metro Express)
- You will remain as the designated premises supervisor until the change of dps application.

- You will give written authorisation naming all staff who will sell alcohol on your behalf. (Email photo - to be sent to myself)

- You will be contactable by all persons working in the premise.

- You will remain in day-to-day control of the premise.

Please reply confirming you agree with all the points stated above.

Regards,

Luke Solczak  
Licensing Enforcement Officer

Bury Council | 3 Knowsley Place | Duke Street | Bury | BL9 0EJ

Follow us on

Licensing information and online forms can be found at our webpages at Licences and permits - Bury Council

Privacy Policy

please visit [www.bury.gov.uk/privacy](http://www.bury.gov.uk/privacy) to read our recently updated Privacy Policy which explains how Bury Council uses and shares your personal data to give you the best possible experience across our services.

-----Original Message-----

From: Shafqat Mo <REDACTED>  
Sent: Friday, March 22, 2024 2:48 PM  
To: Solczak, Luke <[L.Solczak@bury.gov.uk](mailto:L.Solczak@bury.gov.uk)>  
Subject: Premises license

Hi there

I am writing re Texco Metro Express Limited, I am the supervisor at the moment as Qasim hasn't applied as of yet and he needs some time to have the license transferred, I am happy to remain as supervisor until the switch is complete.

I will send you the transfer form by 3.45 I am at work at the moment.

Thanks

Mohammed Shafqat

Sent from my iPhone

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