

**AGENDA FOR**  
**LICENSING HEARING SUB COMMITTEE**



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**To: All Members of Licensing Hearing Sub Committee**

**Councillors :** I Rizvi (Chair), G Marsden and G McGill

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, 20 May 2025
<b>Place:</b>	Virtual meeting via Microsoft Teams
<b>Time:</b>	1.00 pm
<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** *(Pages 3 - 10)*

The Minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on Thursday the 24th April 2025 are attached.

### **4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF PRESTWICH STORE LIMITED, 3 FAIRFAX ROAD, PRESTWICH, M25 1AS** *(Pages 11 - 52)*

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

<b>Minutes of:</b>	<b>LICENSING HEARING SUB COMMITTEE</b>
<b>Date of Meeting:</b>	24 <sup>th</sup> April 2025
<b>Present:</b>	Councillor I Rizvi (in the Chair) Councillors G Marsden and G McGill  M. Bridge (Licensing Unit) M. Cunliffe (Democratic Services) R. Thorpe (Legal Services)
<b>Also in attendance:</b>	Mr P Miah (Applicant via telephone audio only)
<b>Public Attendance:</b>	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 press were in virtual attendance other than those listed above.

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## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted by B. Thomson (Assistant Director of Operations Strategy) and Mr J Baker (Representor).

## **2 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

Councillor G McGill placed on record that in his role as the current Chair of the Planning Control Committee. Whatever decision was taken today would not impact upon his decision making for any future planning applications submitted by the applicant for this location.

## **3 MINUTES OF THE LAST MEETING**

The minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on Wednesday the 29<sup>th</sup> January 2025 was attached to the agenda.

**Resolved:-** That the minutes of the Licensing Hearing Sub Committee held at 1.00pm on the 29<sup>th</sup> January 2025 be approved as a correct record.

## **4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF ENGINE SHED, ROWLANDS ROAD, SUMMERSEAT, BURY, BL9 5QY**

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Engine Shed, Rowlands Road, Summerseat, Bury, BL9 5QY.

The applicant for the licence is Mr Ponke Miah, 38 Barnes Avenue, Rossendale, Lancashire, BB4 8ST and he is the proposed Designated Premises Supervisor (DPS).

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.

### **Opening Times:**

Sunday to Thursday	12.00 till 00.00 (Midnight)
Friday to Saturday	12.00 till 02.00
Christmas Eve	12.00 till 02.00
New Years Eve	12.00 till 02.00
New Years Day	12.00 till 02.00

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

Sunday to Thursday	12.00 till 11.30
Friday to Saturday	12.00 till 01.30
Christmas Eve	12.00 till 01.30
New Years Eve	12.00 till 01.30
New Years Day	12.00 till 01.30

### **Live Music (Indoors)**

Sunday to Thursday	12.00 till 11.00
Friday to Saturday	12.00 till 01.30
Christmas Eve	12.00 till 01.30
New Years Eve	12.00 till 01.30
New Years Day	12.00 till 01.30

Due to the Live Music Act 2012, there is no need to licence this activity until after 23.30

### **Recorded Music (indoors)**

Sunday to Thursday	12.00 till 11.00
Friday to Saturday	12.00 till 01.30
Christmas Eve	12.00 till 01.30
New Years Eve	12.00 till 01.30
New Years Day	12.00 till 01.30

Due to the Live Music Act 2012, there is no need to licence this activity until after 23.30

### **Late Night Refreshment (Indoors)**

Sunday to Thursday	23.00 till 23.30
Friday to Saturday	23.00 till 23.30
Christmas Eve	23.00 till 23.30
New Years Eve	23.00 till 23.30
New Years Day	23.00 till 23.30

The conditions contained in the operating schedule submitted by the applicant were contained at Appendix 1 in the agenda packs.

One representation had been received from an interested party and they had been invited to make their representations at the hearing. Due to work commitments the representor was unable to attend but their representations were attached at Appendix 2 in the agenda packs.

The Licensing Unit Manager reported that additional paperwork had been circulated to Members of the Licensing Hearing Sub Committee on the 22<sup>nd</sup> April. This was in response to the representation and detailed that the building is being renovated and adapted to allow it to function with a relevant new use. The design agent's statement explained that issues regarding traffic and the road leading to the Engine Shed are part of the character of the conservation area. Concerns about noise levels would be managed within the site, with late night entry and egress restricted to the far door, increasing the separation distance from residents. Designed to allow the public to appreciate the scale of the former railway building, it would retain original features preserved for all to see.

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.

The applicant, Mr Miah addressed the Sub Committee and informed Members that this was a small business and he had provided as many details as possible to comply with all the regulations and conditions.

The Licensing Unit Manager asked what would be happening at the venue.

Mr Miah explained that it would be a restaurant with bar and from time to time there would be some live music. They had responded to the representation via the information submitted by the architect.

Mr Miah in summing up hoped the application would be approved as an empty building would be brought back into use. Financial investment in the successful family business would see the creation of a few jobs creating employment in the local community.

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 the relevant provisions of the 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 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, 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** and subject to the following conditions:-

The Licensing Unit Manager advised that there was still a process to appeal the decision.

### Operating Schedule

#### General

- The business will ensure a responsible approach to the sale of alcohol and late night trading and implement a positive attitude to management training on health, safety and public protection.
- All staff will be advised of licensing law, in particular the Licensing Act, in writing before they are allowed to serve alcohol.
- Training will be provided on premises' specific policies on the furtherance and promotion of the licensing objectives herein contained.
- A record will be kept of the date and names of persons trained or advised and will be made available for inspection by the police or licensing authority.
- The restaurant is on ground floor and mezzanine with close surveillance of all customers.

#### The prevention of crime and disorder

- CCTV. The premise is to operate an effective CCTV system both inside and outside the premises which is to be maintained in good working order at all times the premises are open for business. The type of system and the number / positioning of cameras is to be agreed in liaison with the police. The location of cameras will be recorded on the plan attached to the license. 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 or designated premises supervisor is to provide the police with the contact details of at least two members of staff (or other persons) 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 24 hours from the time of the request. The premises licence holder or the Designated Premises Supervisor 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 24 hours.
- A written record shall be kept every time images are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
- Emergency exits that are not visible to the staff will be alarmed when the premises are open to the public, so that staff are immediately notified of unauthorised opening or tampering.
- All staff and private areas will be kept locked and secured whilst the premises are open to the public.
- The recordings will be in real time and on hard drive with the availability to copy discs for other agencies such as the police.
- Care will be taken so that external lighting does not impact on neighbours whilst providing a deterrence.
- The alarm will be linked to a system that will notify management if it is activated when the premises is closed.
- Staff will be trained to supervise admissions and customers inside the premises.
- All staff will be made aware of the premises security policy.
- Daily staff briefing will take place on the premises after and before opening hours to help identify any weakness and improve working practice in the premises.
- Any problems identified and remedial action taken will be recorded with records kept on the premises,
- A door admission policy will be complied with to ensure there is no overcrowding or problems are not allowed to enter or congregate outside.

- Persons will be refused entry where they do not meet the admissions policy or are known to be violent or aggressive and an entry will be made in an incident book.
- A policy to manage capacity will be implemented and adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling.
- Glass drinking vessels will not be permitted to leave the premises at any time.
- There will be a robust glass collecting policy to ensure drinking vessels are collected and vessels are not removed from the premises.
- A zero-tolerance policy will be adopted to the use of drugs and carrying weapons.
- A customer dispersal policy will be implemented and adopted to minimise the potential for disorder from customers leaving the premises.
- Staff will be provided with training to give them knowledge and confidence to deal with difficult situations.
- Alcohol display will be in restricted areas only to ensure customers do not have access without staff supervision and to prevent theft and removal from the premises.
- Display areas will be covered by CCTV.
- Alcohol sale will be restricted at the end of opening hours to ensure there is a period of one hour to allow a 'drinking up' period of 30 minutes to prevent rapid consumption and to manage a safe dispersal of patrons leaving the premises.
- There will be a strict ban on irresponsible drinks promotions within the premises.
- Staff will be trained on the effects of alcohol and how to spot the early signs of customers being drunk.
- A duty of care policy will be implemented with regard to persons suffering adversely from the effects of drink. The policy will encourage staff to prevent a customer from deteriorating to an uncontrolled intoxicated extent. All staff will be briefed on their responsibilities.
- Management will not permit the sale of closed bottle beers or cans to be consumed off the premises.
- The Premises License Holder / Designated Premises Supervisor will conduct a risk assessment with regards to the employment of SIA register door supervisors taking into account key dates throughout the year such as Christmas Eve, New Years Eve, Bank Holidays as well as specific events held within the premises such as the showing of live sporting events.
- 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.
- No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the delivery or from moving from one part of the premises to another.
- 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:
  - all crimes reported to the venue, or by the venue to the police.
  - all ejections of patrons.
  - any incidents of disorder.
  - any faults of the CCTV system.
  - any visits by a relevant authority or emergency service,

## Public safety

- A full risk assessment taking into account public safety will be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards. A risk assessment will be regularly reviewed at least every 12 months.



- All staff will be made aware of the risk assessment and precautionary measures therein.
- A copy of the risk assessment will be kept at the premises with sufficient in date stock.
- First aid boxes will be available at the premises and maintained with in date stock.
- Temperature levels and humidity will be controlled for the comfort and safety of customers.
- The premises capacity cap that has been assessed having regard to Health and Safety Standards. This capacity will remain and there are no increases planned or anticipated. Management and staff will ensure the capacity is not breached and managed effectively.
- Staff will be trained to manage the collection of glassware to ensure there is no accumulation within the premises.
- Staff will be trained to prevent glassware being taken off the premises.
- Spillages and broken glass will be cleared immediately to prevent floors becoming slippery and unsafe. Barriers and warnings will be placed accordingly to prevent injury.
- Staff will be trained to spot the signs of drink spiking and to report any such incidents to management.
- Management will make a record of any such incident of drink spiking and report the matter to the police.
- Management will discourage incidents of drink driving by promoting Designated Driver practice.
- Staff will be trained to spot the early dangers of drink driving and notify management of any potential dangers.
- Management will make a record of any incidents of potential drink driving and actively seek to prevent such incidents from arising. Such incidents will be reported to the police accordingly.
- A written policy to deal with all types of accidents and emergency incidents will be placed in the premises.
- Customers will be offered safe travel home where management and staff will offer contact numbers for taxi services and facilities to call and reserve a taxi.
- There will be a safe waiting area within the premises for customers awaiting transport to prevent congregation outside the premises.
- Customers are to 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.
- The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises.
- Checks will be carried out each day after closing and before opening to ensure that exits are unblocked and there is no glassware outside the premises.
- An accident book will be kept in order to record all accidents or incidents and made available for inspection.
- Entry will be refused to anyone who appears to be showing signs of drug use or excessive alcohol consumption. In such cases an entry will be made in an incident logbook.
- Staff will be fully trained and made aware of their responsibilities regarding legislation permitting the sale of alcohol.
- Information will be displayed to customers with regard to safe options for traveling home.
- Tap water will be available free at all times.
- Management and staff will receive full training on crowd management and premises safety checks to ensure all incidents of anti-social behaviour is managed effectively and recorded.

#### The prevention of public nuisance

- A noise management policy will be in place which sets out sound attenuation measures to prevent singing and speech noise breakout from the premises.
- All staff will be trained on the policy to ensure a commitment to good noise management. A record will be kept of the date and name of the persons trained and made available for inspection by the licensing authority or environmental health responsible authority.
- Windows and doors will be kept closed whilst the premises licence premise is in use to prevent the breakout of noise.
- Doors will be closed with self-closing devices.
- Noise monitoring will be actively carried out on a regular basis.
- A logbook will be kept of any noise monitoring carried out, the findings and remedial action taken recorded. The log will indicate whether it was routine noise monitoring or the result of a complaint.
- The logbook will be made available for inspection by the licensing authority or environmental responsible authority.
- A contact telephone number will be made available to local residents that may be used to report any noise disturbances to a responsible person at the premises, as and when they occur. The phone line will be made available all the times the licensed premises is in use.
- Rowdy behaviour from people entering or leaving will not be tolerated, and entry into the premises will be refused to persons suspected or carrying out anti-social behaviour or under the influence of alcohol.
- Repeated re0admittance will be managed and not tolerated in particular after 10:00 pm.
- A customer dispersal policy will be adopted and implemented to ensure customers leave the premises in a quiet and efficient manner.
- Signs will be displayed close to the exit doors requesting patrons to leave the premises quickly and quietly.

The protection of children from harm

- The premises will operate a "Challenge 25" proof of age policy and signage to this will be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, official documentation which is proof of identity/age before being sold/supplied alcohol. Only a passport, photo-card driving licence, HM Forces identification or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age. No digital/photocopies of official identification will be permitted.
- The premises is to maintain a refusals book to record the details of incidents/descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The book must be made available to the police/authorised officers of the Licensing Authority on request.
- No person under the age of 18 shall be permitted to remain on the premises after 21:00 hours save for any private function where they are accompanied by an adult responsible for their welfare.

**COUNCILLOR I RIZVI**  
**Chair**

**(Note: The meeting started at 1.00pm and ended at 1.25pm)**



Classification	Item No.
Open / Closed	

<b>Meeting:</b>	Licensing Hearings Sub-Committee
<b>Meeting date:</b>	20 May 2025
<b>Title of report:</b>	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Prestwich Store Limited, 3 Fairfax Road, Prestwich, M25 1AS
<b>Report by:</b>	Executive Director (Corporate Core)
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	St. Mary's

### Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Prestwich Store Limited, 3 Fairfax Road, Prestwich, M25 1AS

### Recommendation(s)

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

### 1.0 BACKGROUND

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

## **2.0 INTRODUCTION**

- 2.1 The applicant for the licence is Prestwich Store Limited, 3 Fairfax Road, Prestwich, M25 1AS. Mr Abollah Ebrahime, Flat 3 Fairfax Road, Prestwich, M25 1AS is the proposed Designated Premises Supervisor (DPS).
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.
- 2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-
- the prevention of crime and disorder
  - public safety
  - prevention of public nuisance and
  - protection of children from harm

## **3.0 THE APPLICATION**

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

### **Opening Times:**

Monday to Saturday	07.00 to 00.00 (Midnight)
Sunday	09.0 to 23.00

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

Monday to Saturday	10.00 to 23.30
Sunday	10.00to 22.30

The conditions contained in the operating schedule submitted by the applicant are contained at Appendix 1.

## **4.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY**

- 4.1 Greater Manchester Police in their capacity as a Responsible Authority under the Licensing Act 2003 have submitted a representation. They will present their representation at the hearing.

4.2 Representation is attached at Appendix 2.

#### **5.0 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

5.1 The Licensing Authority in their capacity as a Responsible Authority under the Licensing Act 2003 have submitted a representation. They will present their representation at the hearing.

5.2 Representation is attached at Appendix 3.

5.3 Trading Standards in their capacity as a Responsible Authority under the Licensing Act 2003 have submitted a representation. They will present their representation at the hearing.

5.4 Representation is attached at Appendix 4.

#### **6.0 OBSERVATIONS**

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

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

7.1 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.

7.2 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.

7.3 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.

## **8.0 CONCLUSION**

8.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

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

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

8.4 In making its decision with regard to this grant 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

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

8.6 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

8.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

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

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## **Community impact/links with Community Strategy**

Not Applicable

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**Equality Impact and considerations:**

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

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

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

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

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

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**Assessment of Risk:**

The following risks apply to the decision:

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

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**Consultation:**

Not Applicable

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**Legal Implications:**

Yes, 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:**

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

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

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**Background papers:**

List of Background Papers:-  
Application form  
Representations received

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

Term	Meaning



# **Appendix One**

## **Operating Schedule submitted by the applicant**

## **Conditions Consistent with The Operating Schedule**

### **The Prevention of Crime and Disorder**

- Install and maintain high quality cctv systems that covers all areas of premises including entry points.
- Staff training- train staff to deal with disorderly conduct, drunkenness, drug abuse, including the procedure for refusing service. Alcohol serving policy
- Implement "Challenge 25" policy where ID is required from anyone who looks under 25.
- Refuse service to people already drunk. Clear signage displayed that warns against anti-social behaviour.

### **Public Safety**

- Set and enforce crowd size to avoid overcrowding.
- Have first aid kits available on premises and ensure staff trained for basic first aid.  
Have clear emergency procedures in place and staff know what to do in case of emergency.
- Keep premises well maintained, free from hazards and comply with health and safety regulations.

### **The Prevention of Public Nuisance**

- Noise control - limiting outdoor noise. alcohol will not be consumed on premises
- Ensure customers leave premises quietly especially during late hours.
- Deliveries and collections to be arranged for reasonable times to avoid disturbance to neighbours.
- Have adequate bins for litter control outside premises and staff clean up any litter generated by customers

### **The Protection of Children from Harm**

- Age verification - challenge 25 or challenge 21
- Train staff to recognise under age drinking and handle appropriately. Staff know how to handle vulnerable children.
- Clear signage displayed that shows refusal to sell alcohol to under 18. ID verification necessary.

## **Appendix 2**

### **Representation from Greater Manchester Police**

**Bury Metropolitan Borough Council**

The Licensing Act 2003

**Responsible Authority Representation Form**

*Section 1 - Application Details*

**We object to the following Application:**

**Prestwich Store Ltd**  
**3 Fairfield Road**  
**Prestwich**  
**M25 1AS**

Type of application.

Application for Premises License

Application Number (if known):

*Section 2 – Responsible Authority's Details*

**Responsible Authority's Details:**

Please tick appropriate box:

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

	Environmental Health Service	
	Child Protection	
	Weights and Measures	
	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:	Peter Eccleston	
Job Title:	Bury District Licensing Officer	
Tele number:	07774219071 / 0161 856 8111	
Email:	peter.eccleston@gmp.police.uk	
Address:		
<p>Bury Police Station</p> <p>Dunster Road</p> <p>Bury</p> <p>BL9 0RD</p>		

### Section 3 – Representations

<input checked="" type="checkbox"/>	We object to the application being granted at all
<input type="checkbox"/>	We object to the application being granted in its current form *

\*If you choose this option remember to tell us in section 3B what changes you would like to see.

You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).

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

### Section 3A – The Objectives

To prevent crime and disorder

Please accept this as a formal representation from Greater Manchester Police with regards to the new premises license application for Prestwich Store Ltd at 3 Fairfax Road, Prestwich M25 1AS.

An application was made for the sale of alcohol relating to the above premises on the 1<sup>st</sup> April 2025. Prestwich Store Ltd is the proposed Premises License Holder with Mr Abdollah Ebrahime as the sole director. Mr Ebrahime has named himself as the Designated Premises Supervisor (DPS)

Mr Ebrahime obtained his Personal License (BUR2946) from Bury Council on the 10<sup>th</sup> March 2025 after recently obtaining his Personal License Qualification. As such you would expect someone to have an understanding of the four licensing objectives and their roles and responsibilities as PLH and DPS.

On the 10<sup>th</sup> April 2025 the Bury District was taking part in its annual day of action against crime and as such PC Eccleston along with Kelly Halligan from Trading Standards and Luke Sciczak from Bury Council Licensing Department and a number of other agencies including a Tobacco detection dog and handler visited the premises having recently received a new premises license application.

On entering the premises, the PLH and DPS was present behind the counter. Mr Ebrahime introduced himself and was able to produce official documentation in the form of a provisional driving license as identification. Having introduced ourselves and the reason for the visit, a search of the premises was carried out by Kelly Halligan and the tobacco detection dog/handler.

Initially a small amount of illegal vapes which exceeded the maximum capacity for the UK were found under the counter at the store along with a car key to a ford vehicle.

	<p>As the search continued, the dog indicated that there was more tobacco hidden on the premises and a larger quantity of illicit tobacco was found in the suspended ceiling, sat on top of the ceiling tiles in the toilet of the store.</p> <p>The ford key belonged to a black Ford Fiesta which was located in the small car park at the rear of the premises. The dog handler was made aware and once the search of the premises was completed, he attended the car park and almost immediately, the dog indicated that there was tobacco inside the vehicle. The vehicle was checked on the Police National Computer and it was shown registered to Mr Ebrahime. Due to this information, the vehicle was searched and more illegal vapes as well as illicit tobacco were found in black bin bags on the rear seat of the vehicle.</p> <p>Between the vehicle and the premises, itself, Kelly Halligan (Trading Standards) seized 108 illegal vapes which exceeded the maximum capacity were found as well as 190 packets of cigarettes and 13 packets of 50g hand rolling tobacco.</p> <p>Under the circumstances, Greater Manchester Police has serious concerns as to how the licensing objectives will be upheld by Mr Ebrahime. He has quite clearly demonstrated that he is not fit and proper and has little understanding of his role and responsibilities as a designated premises supervisor. Mr Ebrahime has already undermined those objectives namely The Prevention of Crime and Disorder and for that reason, Greater Manchester Police is requesting that the premises license application is rejected in its entirety.</p>
Public safety	Please state your reasons:
To prevent public nuisance	<i>Please state your reasons:</i>

The protection of children from harm	
---	--



<b>Section 3B – Suggestions/Further information</b>
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Under the circumstances as outlines above, it is quite clear that is no regard for the licensing objectives nor the law and if granted there is a serious risk that the licensing objectives will continue to be undermined. As such GMP are asking that serious consideration be given to the refusal of the Premises License Application in its entirety however should the committee decide otherwise, GMP would like to suggest the following additions to the license conditions in an effort to promote the licensing Objectives.

### **Prevention of Crime and Disorder**

The premises licence holder must ensure that:

1. The CCTV system is to be serviced annually by a professional to maintain full working order of the system and relevant records of the service are to be kept for a minimum of 2 years and made available for inspection by a police officer or authorised officer of Bury Council.
2. CCTV cameras are to be located inside the premises to cover all public areas including all entrances and exits. The location of the cameras should be specified on the plan attached to the premises license.
3. CCTV cameras are located outside the premises to cover all entrances and exits. The location of the cameras should be specified on the plan attached to the premises license.
4. The CCTV system is able to capture a minimum of 24 frames per second.
5. The CCTV system is in operation at all times the premises is open to members of the public or specific timings.
6. The CCTV recordings have a constant and accurate date and time stamp taking into account daylight saving time.
7. During operating hours, there is a trained member of staff at the premises, able to provide viewable copies of footage within 12 hours of a request of the Police or authorised officer of the Local Authority.
8. A personal license holder must be on the premises on Thursday's, Friday's and Saturday's for the duration of the licensable activity.
9. All staff authorised to sell alcohol shall be trained in the following:
  - Relevant age restriction in relation to relevant products.
  - Prevention of underage sales.
  - Prevention of proxy sales.
  - Maintaining a refusals log or book.
  - Recognising signs of drunkenness and vulnerability.
  - How to refuse service
  - Entering sales correctly into the point of sales / till so that prompts are shown as appropriate.
  - Dealing with emergency situations which must include but not limited to the preservation of a crime scene, reporting incidents to the emergency services, evacuation.
  - The conditions listed in the operating schedule of the premises license.
  - The four licensing objectives.
10. All training must include evidence that the member of staff has gained knowledge and understanding of the information presented to them which may include knowledge checks/quizzes.
11. Documented staff training records shall be kept for each member of staff. Regular staff training shall be conducted at regular intervals and at no more that 6-month intervals. All training records shall be made available upon request from the police or an authorised officer of the local authority.

**Prevention of Public Nuisance**

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

**Protection of Children from Harm**

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

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

dated: 24/04/2025

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

## **Appendix 3**

### **Representation from The Licensing Authority**

## Bury Metropolitan Borough Council

The Licensing Act 2003

# Responsible Authority Representation Form

### *Section 1 - Application Details*

**We object to the following Application:**

Prestwich Store Ltd  
3 Fairfield Road  
Prestwich  
M25 1AS

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):	079381
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### *Section 2 – Responsible Authority's Details*

**Responsible Authority's Details:**

Please tick appropriate box:

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

	Weights and Measures	
x	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:	Luke Solczak	
Job Title:	Licensing Enforcement Officer	
Tele number:	07356131955	
Email:	L.solczak@bury.gov.uk	
Address:		
<p>Bury Council  Licensing Department  3 Knowsley Place  Duke Street  Bury  BL9 0EJ</p>		

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

<b>Section 3A – The Objectives</b>	
To prevent crime and disorder	<p>Please accept this as formal representation from Bury Council's Licensing Service with regards to the new premises license application for Prestwich Store Ltd at 3 Fairfax Road, Prestwich M25 1AS.</p> <p>Prestwich Store Ltd made an application for the sale of alcohol on the 1<sup>st</sup> April 2025.</p> <p>The applicant Mr Ebrahime is the sole director the business and has applied for the licence as the premise licence holder and the designated premises supervisor. Mr Ebrahime obtained a personal licence with Bury Council on the 10<sup>th</sup> of March 2025, Licence number BUR2946.</p> <p>On the 10<sup>th</sup> April 2025 I attended on behalf of the licensing service, a day of action arranged by Greater Manchester Police. The day of action was to target criminal activity in the Bury area of Greater Manchester. I was in company with PC Eccleston, Licensing Police Officer and Kelly Halligan, Trading Standards Unit Manger. Also attendance was Immigration, tobacco detection dog and the fire service.</p> <p>Prestwich store having applied for a new premises license to sell alcohol was on the list of premises to be visited to check compliance and their suitability to hold a premise licence.</p> <p>Upon entering Prestwich store the applicant was situated behind the shop counter. PC Eccleston spoke to Mr Ebrahime whilst I proceeded to accompany the dog handler. In the small storeroom the detection dog showed interest in the direction of the ceiling. The dog handler lifted a ceiling tile and discovered a black carrier bag consisting of several illicit cigarettes.</p> <p>On returning to the counter I noted that PC Eccleston was holding a car key and a green provisional driving licence. At the rear of the premise was a black ford fiesta. The dog handler attended the vehicle and a positive result was indicated by the tobacco detection dog.</p>

	<p>PC Eccleston conducted a check on the vehicle which showed that the vehicle was registered to the applicant, Mr Ebrahime. As the vehicle was linked to the premise and a positive indication to tobacco was indicated by the detection dog, a search of the vehicle took place. Within the vehicle there were 3 black bin bags containing illicit tobacco and illegal vapes. (Please see appendix 1)</p> <p>Kelly Halligan, Trading Standard Unit Manager then seized the illicit tobacco and illegal vapes found within the premise and the vehicle. These totaled 190 packets cigarettes (3800 sticks), 13 packets of tobacco (650g) and 108 vapes.</p> <p>Due to the circumstances, the Licensing Service has serious concerns that the licensing objective, specifically crime and disorder &amp; the protection of children from harm, have been undermined. The applicant was aware that these products were illegal due to concealing them. This raises additional concerns that the applicant, Mr Ebrahime is not fit and proper to hold or be responsible for a premise licence. As such the Licensing Service would request that the application is refused.</p>
Public safety	Please state your reasons:



To prevent public nuisance	Please state your reasons:
The protection of children from harm	Please refer to the reasons mentioned under Crime and Disorder.

### **Section 3B – Suggestions/Further information**

If Members are minded not to refuse the application, I would ask that the following are placed as conditions on the licence to promote the licensing objectives in place of the steps volunteered by the applicant.

#### **Prevention of Public Nuisance**

1. Management and staff are to use their best endeavours to prevent persons loitering outside the premises.
2. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and area quietly and to properly dispose of litter.
3. Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of any litter from the premises.
4. All deliveries or removal of trade waste will take place after 20.00 on any day.
5. The Proprietor will ensure that no exterior lighting will cause a nuisance to any nearby properties / neighbours.

#### **Prevention of Crime and Disorder**

The premises licence holder must ensure that:

6. CCTV cameras are located within the premises to cover all public areas including all entrances and exits (the location of cameras could also be specified on the plan attached to the premises licence).
7. The system records clear images.
8. The CCTV system is able to capture a minimum of 24 frames per second.
9. All recorded footage must be securely retained for a minimum of 28 days are to be made available to the Police/Authorised Officers of the Licensing Authority upon request. Copies of any requested footage must be produced within 12 hours of the request.
10. The CCTV system operates at all times while the premises are open for licensable activities or specify timings.
11. All equipment must have a constant and accurate time and date generation.
12. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
13. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 or any replacement legislation.

14. The Designated Premises Supervisor will maintain a written record of all members of staff who are authorised to sell alcohol. This shall be kept on the premises and made available to authorised officers.
15. All staff authorised to sell alcohol shall be trained in:
  - Relevant age restrictions in respect of products
  - Preventing underage sales
  - Preventing proxy sales
  - Maintaining the refusals log
  - Entering sales correctly on the tills so the prompts show as appropriate
  - Recognising signs of drunkenness and vulnerability
  - How to refuse service
  - The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
  - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
  - The conditions in force under this licence.

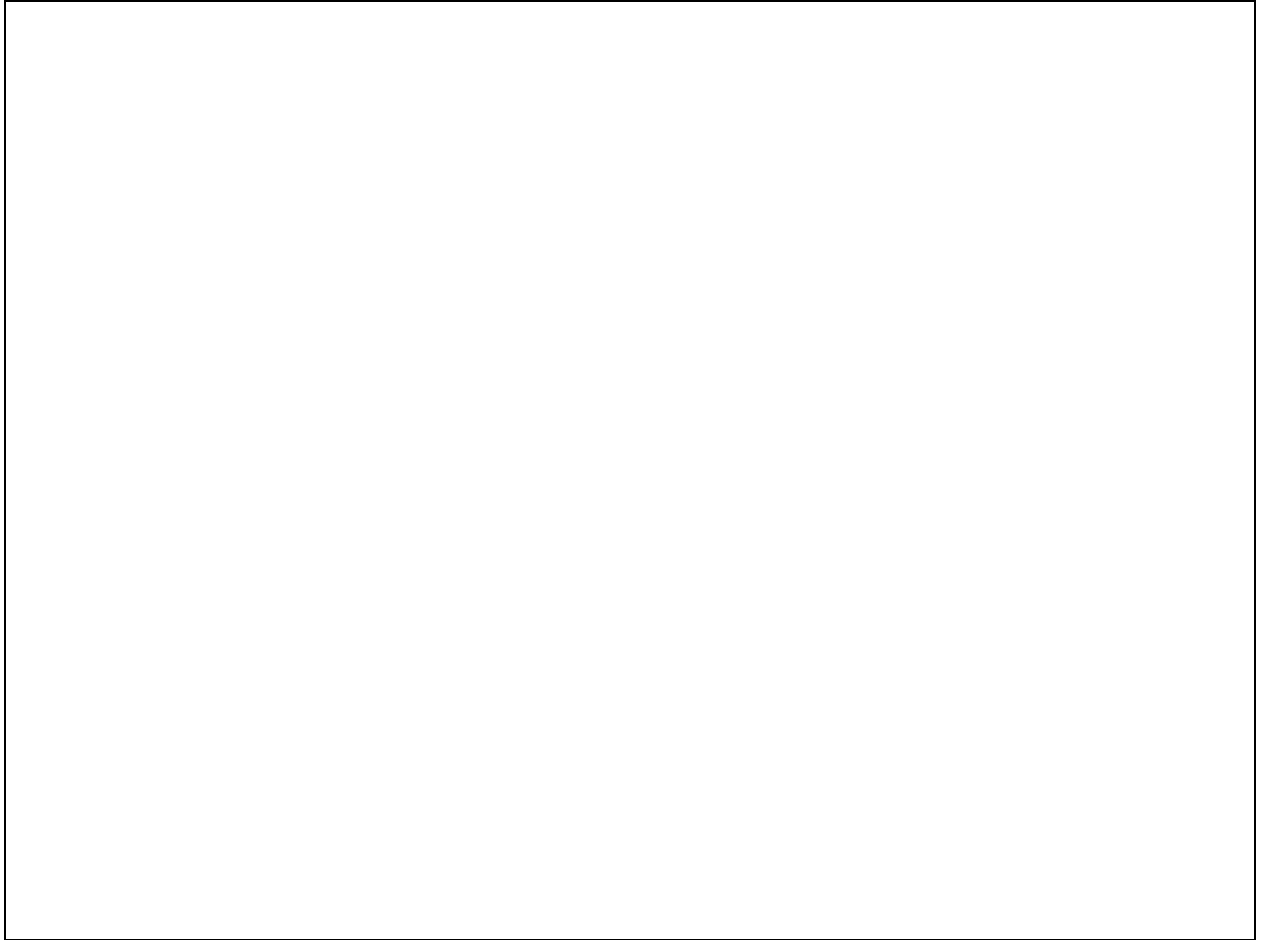
Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

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

#### **Protection of Children from Harm**

16. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
17. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises that the Challenge 25 scheme is in operation.
18. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
19. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying upon request by an officer of a Responsible Authority.
20. An incident book shall be maintained to record all incidents of crime or disorder at the premises and details of any occasion when police are called to the premises. This book shall be made available for inspection by any authorised officer.
21. No alcoholic drink shall be removed from the premises in an unsealed container.

22. That the following alcoholic drinks be kept behind the counter or in a place where customers do not have direct access to these products without the assistance of a member of staff, namely: all spirits.



Signed: 

...Dated: 24 April 2025

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

Appendix 1











## **Appendix 4**

# **Representation from Trading Standards**

**Bury Metropolitan Borough Council**

The Licensing Act 2003

**Responsible Authority Representation Form**

*Section 1 - Application Details*

**We object to the following Application:**

Prestwich Store Ltd  
3 Fairfield Road  
Prestwich  
M25 1AS

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):	079381
--------------------------------	--------

*Section 2 – Responsible Authority's Details*

**Responsible Authority's Details:**

Please tick appropriate box:

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

x	Weights and Measures	
	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:		Kelly Halligan
Job Title:		Trading Standards - Unit Manager
Tele number:		01612535091
Email:		k.j.halligan@bury.gov.uk
Address:  Bury Council Licensing Department 3 Knowsley Place Duke Street Bury BL9 0EJ		

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

<b>Section 3A – The Objectives</b>	
To prevent crime and disorder	<p>Please state your reasons:</p> <p>An application for a Premises Licence for Prestwich Mini Market Ltd, for the sale of alcohol, was made on 1<sup>st</sup> April 2025 by Mr Ebrahime who the sole director of the business is and has applied for the licence as the premise licence holder and the designated premises supervisor. Mr Ebrahime obtained a personal licence with Bury Council, Licence number BUR2946.</p> <p>On the 10<sup>th</sup> April 2025 I attended Prestwich Mini Market as part of a day of action. The day of action was to target criminal activity in the Bury area of Greater Manchester. I identified these premises as a place to visit as we had received a complaint that the shop was selling counterfeit products and vapes and tobacco to children. I was accompanied on the visit by PC Eccleston, Licensing Police Officer, Luke Solczak, Bury Councils Licensing Enforcement Officer, Joe Naylor, Trainee Trading Standards officer, and also a tobacco detection dog and handler from Wagtails. Also in attendance was Immigration, and the fire service.</p> <p>.</p> <p>Upon entering Prestwich Store the applicant was situated behind the shop counter. PC Eccleston spoke to Mr Ebrahime and explained the purpose of our visit. The dog and handler went behind the counter and found some oversized vapes and a car key which were placed on the counter. I spoke to Mr Ebrahime and asked him for some identification, he produced his personal alcohol licence, I asked him for something with his address on and he produced a provisional driving licence. I took details of the licence and wrote them in my notebook. The dog continued to search the remainder of the premises. In the small storeroom the detection dog</p>

	<p>showed interest in the direction of the ceiling. The dog handler lifted a ceiling tile and discovered a black carrier bag consisting of several illicit cigarettes.</p> <p>PC Eccleston asked Mr Ebrahime who owned the vehicle that the car key belonged to, he said his boss. He asked where it was parked, and he said at the rear on the premises. At the rear of the premise was a black ford fiesta registration FD63SZG. The dog handler attended the vehicle, and a positive result was indicated by the tobacco detection dog. PC Eccleston conducted a check on the vehicle which showed that the vehicle was registered to the applicant, Mr Ebrahime. As the vehicle was linked to the premise and a positive indication of tobacco was indicated by the detection dog, a search of the vehicle took place. Within the vehicle there were 3 black bin bags containing illicit tobacco and illegal vapes.</p> <p>I seized the illicit tobacco, and illegal vapes found within the premise and the vehicle. These totaled 190 packets cigarettes (3800 sticks), 13 packets of tobacco (650g) and 108 vapes. On the premises where 20 oversized vapes, and 34 packets of cigarettes and 1 hand rolling tobacco, the remainder came from the car.</p> <p>The Responsible Authority has serious concerns as to how the licensing objectives will be met by Mr Ebrahime as he shows little understanding of what is required of him and has already undermined the prevention of crime and disorder objective by allowing illegal vapes, tobacco and cigarettes on the premises. The applicant was aware that these products were illegal due to concealing them. There has also been a complaint in relation to the premises selling counterfeit goods, and products to minors which undermines the protection of children from harm objective as well, which raises additional concerns that the applicant, Mr Ebrahime, is not fit and proper to hold or be responsible for a premise licence. As such the Weights and Measures Authority would request that the application is refused.</p>
Public safety	Please state your reasons:

To prevent public nuisance	Please state your reasons:
The protection of children from harm	Please refer to the reasons mentioned under Crime and Disorder.

### **Section 3B – Suggestions/Further information**

If Members are minded not to refuse the application, I would ask that the following are placed as conditions on the licence to promote the licensing objectives in place of the steps volunteered by the applicant.

#### **Prevention of Public Nuisance**

23. Management and staff are to use their best endeavours to prevent persons loitering outside the premises.
24. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and area quietly and to properly dispose of litter.
25. Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of any litter from the premises.
26. All deliveries or removal of trade waste will take place after 20.00 on any day.
27. The Proprietor will ensure that no exterior lighting will cause a nuisance to any nearby properties / neighbours.

#### **Prevention of Crime and Disorder**

The premises licence holder must ensure that:

28. CCTV cameras are located within the premises to cover all public areas including all entrances and exits (the location of cameras could also be specified on the plan attached to the premises licence).
29. The system records clear images.
30. The CCTV system is able to capture a minimum of 24 frames per second.
31. All recorded footage must be securely retained for a minimum of 28 days are to be made available to the Police/Authorised Officers of the Licensing Authority upon request. Copies of any requested footage must be produced within 12 hours of the request.
32. The CCTV system operates at all times while the premises are open for licensable activities or specify timings.
33. All equipment must have a constant and accurate time and date generation.
34. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
35. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 or any replacement legislation.

36. The Designated Premises Supervisor will maintain a written record of all members of staff who are authorised to sell alcohol. This shall be kept on the premises and made available to authorised officers.
37. All staff authorised to sell alcohol shall be trained in:
  - Relevant age restrictions in respect of products
  - Preventing underage sales
  - Preventing proxy sales
  - Maintaining the refusals log
  - Entering sales correctly on the tills so the prompts show as appropriate
  - Recognising signs of drunkenness and vulnerability
  - How to refuse service
  - The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
  - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
  - The conditions in force under this licence.

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

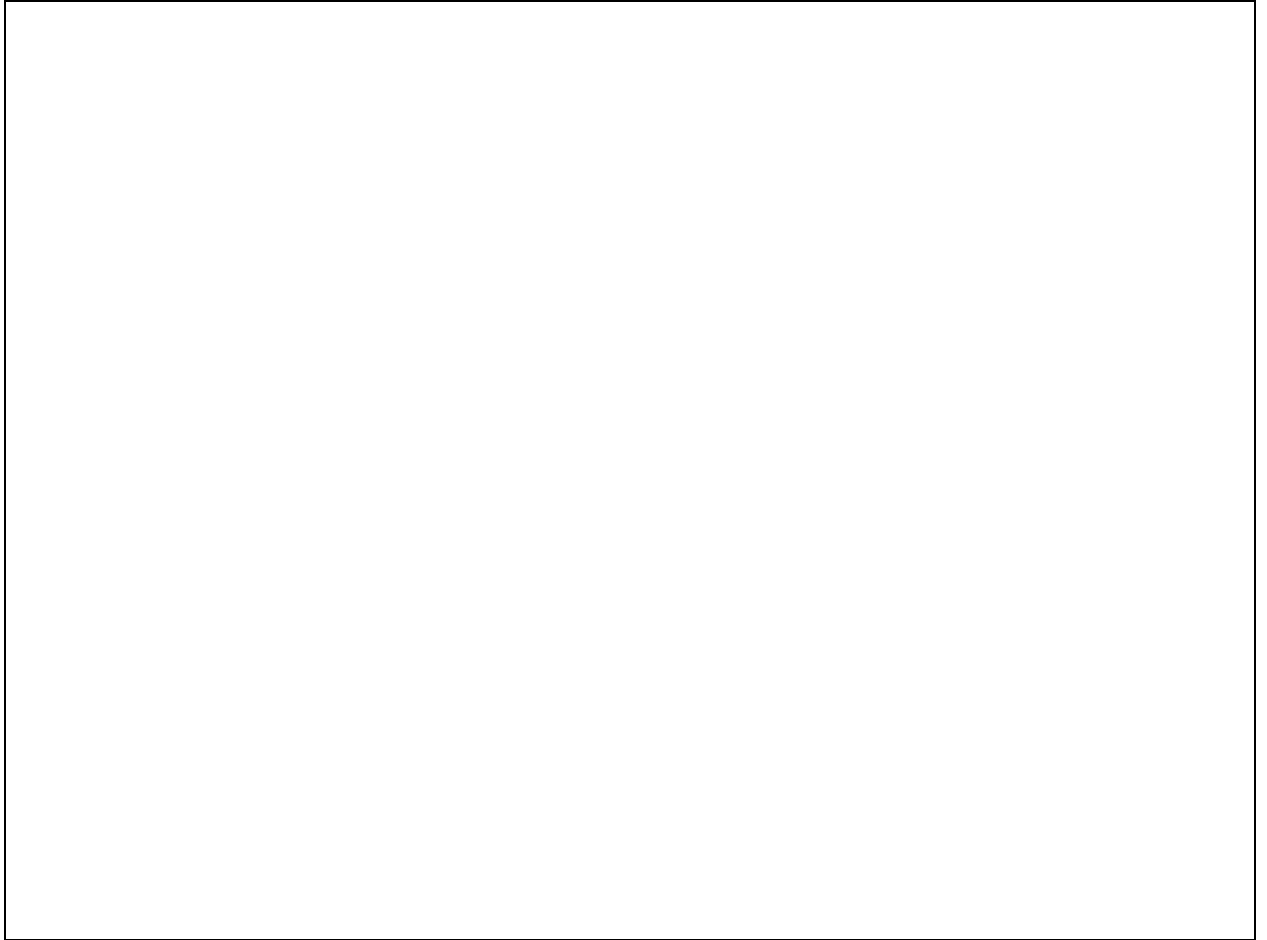
Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Bury Council.

#### **Protection of Children from Harm**

38. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
39. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises that the Challenge 25 scheme is in operation.
40. The premises shall display prominent signage indicating, at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
41. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying upon request by an officer of a Responsible Authority.
42. An incident book shall be maintained to record all incidents of crime or disorder at the premises and details of any occasion when police are called to the premises. This book shall be made available for inspection by any authorised officer.
43. No alcoholic drink shall be removed from the premises in an unsealed container.



44. That the following alcoholic drinks be kept behind the counter or in a place where customers do not have direct access to these products without the assistance of a member of staff, namely: all spirits.



Signed: *K. Hangan* ...Dated: 24 April 2025

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



