

Classification	Item No.
Open / Closed	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	26 February 2025
Title of report:	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Beytoushi Market, 406 Bury New Road, Prestwich, Manchester, M25 1BD
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	St Mary's

Executive Summary:

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

Recommendation(s)

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

1.0 BACKGROUND

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

2.0 INTRODUCTION

- 2.1 The applicant for the licence is Mr Alireza Shekhehpour, Flat 12 - Belgravia Flats, 322 Cheetham Hill Road, Prestwich, M8 0PL and at the time of writing this report no Designated Premises Supervisor (DPS) was in place.
- 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 Where representations are made and not withdrawn Members are required to determine them.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 Sunday 08:00 till 00.00

Supply of Alcohol (off the premises only):

Monday to Sunday 08:00 till 00.00

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 The Licensing Authority in its capacity as a Responsible Authorities have made representations been made against this application. The Licensing Authority will make their representations at the hearing.
- 4.2 This representation is attached at Appendix 2.

5.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

- 5.1 Trading Standards Service in its capacity as a Responsible Authorities have made representations been made against this application. The trading Standards Service will make their representations at the hearing.
- 5.2 This representation is attached at Appendix 3.

6.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

- 6.1 Greater Manchester Police in its capacity as a Responsible Authorities have made representations been made against this application. Greater Manchester Police will make their representations at the hearing.
- 6.2 This representation is attached at Appendix 4.

7.0 OBSERVATIONS

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

8.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003

- 8.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 8.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 8.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

9.0 CONCLUSION

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

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

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

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

9.4 In making its decision with regard to this 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

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

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

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

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

Community impact/links with Community Strategy

Not Applicable

Equality Impact and considerations:

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

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

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

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

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

Assessment of Risk:

The following risks apply to the decision:

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

Consultation:

Not Applicable

Legal Implications:

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

Financial Implications:

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

Report Author and Contact Details:

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

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

Background papers:

List of Background Papers:-
Application form
Representations received

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

Term	Meaning

Appendix One

**Operating Schedule submitted
by the applicant**

Conditions Consistent with the Operating Schedule

CCTV

- 1.1 The premises are to operate an effective CCTV system which shall to be maintained in good working order at all times the premises is open for business.
Cameras will be installed and positioned to cover the customers areas.
- 1.2 The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request.
- 1.3 The Premises Licence Holder or Designated Premises Supervisor is to provide the police with the contact details of at least one other member of staff or other person(s) who shall be 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 within no more than 12 hours from the time of the request.
- 1.4 In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor shall make sure that the CCTV is in working order as soon as practicable
A written sale of alcohol authorisation list will be maintained at the premises.
2. Staff training shall take place for all new staff to be completed within 1 month upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
3. Training will be on the licensing objectives and other relevant parts of the Licensing Act.

4. An incident book/register shall be maintained to record:
 - i. All incidents of crime and disorder occurring at the premises.
 - ii. Details of occasions when the police are called to the premises.
5. This book/register shall be made available for inspection by a police officer or other authorised officer on request.
6. No alcoholic drink shall be removed from the premises in an unsealed container.
7. All spirits will be sold and stored from behind the counter.
8. Management and staff are to use their best endeavours to prevent 3 or more persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
9. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents, to leave the premises and area quietly and to properly dispose of litter.
10. 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.
11. All deliveries or removal of trade waste will take place after 20.00 on any day.
12. The Proprietor will ensure that no exterior lighting will cause a nuisance to any neighbouring residential properties
13. The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age
14. The premises is to maintain a refusals to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and

record the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.

12. Proxy signs will be on display warning customers not to buy alcohol for children.

Appendix 2

Representation from Licensing Authority

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):

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
<input type="checkbox"/>	Weights and Measures
<input checked="" type="checkbox"/>	Licensing Authority
<input type="checkbox"/>	Immigration
<input type="checkbox"/>	Public Health Department

Full name:	Laura Jones
Job Title:	Deputy Licensing Officer
Tele number:	0161 253 7206
Email:	laura.j.jones@bury.gov.uk
Address: Bury Council Licensing Department 3 Knowsley Place Duke Street Bury BL9 0EJ	

Section 3 – Representations	
<input checked="" type="checkbox"/>	We object to the application being granted at all
<input type="checkbox"/>	We object to the application being granted in its current form*
<p>*If you choose this option remember to tell us in section 3B what changes you would like to see.</p>	
<p>You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).</p> <p>Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.</p>	
Section 3A – The Objectives	
To prevent crime and disorder	<p>Please state your reasons:</p> <p>An application for a Premises Licence for Beytoushi Market, for the sale of alcohol, was made on 26 February 2024 by Behzad Hassanzadeh as the</p>

Premises Licence Holder naming himself as Designated Premises Supervisor.

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

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

The man who was working identified himself as Behzad Hassanzadeh, the applicant for the licence.

The application was withdrawn on 18 April 2024.

On 15 October 2024 I visited the premises again alongside Kelly Halligan and PC Eccleston together with a tobacco dog. 111 illegal vapes were seized together with 108 packets of illicit cigarettes and 14 packets of hand rolling tobacco which had been concealed.

On 10 December a new application for a premises licence was received with the proposed Premises Licence Holder and Designated Premises Supervisor being Alireza Shekhehpour.

On 19 December I visited the premises alongside Kelly Halligan and PC Eccleston. Barham Hassanzadeh was present in the shop working behind the counter. He explained that he is the brother of Behzad Hassanzadeh, the previous applicant for the licence which was withdrawn.

Mr Hassanzadeh was questioned as to the ownership of the business he told us that it had been sold a month ago to Mr Shekhehpour.

However, Mr Hassanzadeh presented me with a cash and carry invoice from the 10 December that was in his name see Appendix 1.

Mr Shekhehpour arrived later during our visit. When questioned as to the ownership of the shop he informed us that he is unable to provide any paperwork to prove he is the new owner as he does not have a lease or any legal paperwork to show that he has bought the business.

During the visit a small number of illegal vapes were recovered and a large amount of out-of-date food.

I asked Mr Shekhehpour as to whether he has a personal licence. He informed me that he was waiting to undergo the training. I asked him what knowledge he has of licensing, as he has applied for an alcohol licence. All he was able to tell me was that he has to ask for ID. He was not able to

	<p>elaborate any further on this or his responsibilities and did not know what I meant when I asked him what the licensing objectives were.</p> <p>I made enquiries with Business Rates as to who was liable and whether this had been recently changed. I was informed that liability was with Beytoushi Market Ltd, and this had been in place since 1 January 2024.</p> <p>After searching on Companies House, I found that Beytoushi Market Ltd has the Sole Director of Barham Hassanzadeh (the gent who was in the shop on our visit on 19 December and the brother of the previous applicant for the licence).</p> <p>I also found that there is a second limited company named Beytoushi Markt Ltd whose Sole Director is Alireza Shekhehpour.</p> <p>Therefore, the business rates are still showing liability by the previous owner.</p> <p>The lack of paperwork to prove ownership of the business, together with the cash and carry invoice and the liability for business rates cast doubt as to whether Mr Shekhehpour is indeed the new owner.</p> <p>The application was rejected on 20 December due to failure to advertise correctly. A new application was submitted on 2 January 2025.</p> <p>The Licensing Authority have serious concerns as to who will be managing the shop and the sale of alcohol and how the licensing objectives will be met by Mr Shekhehpour as he shows little understanding of what is required of him together with the previous history of behaviour at the shop, that undermines the crime and prevention objective,</p>
Public safety	Please state your reasons:
To prevent public nuisance	Please state your reasons:

<p>The protection of children from harm</p>	<p>Please state your reasons:</p> <p>As above as Mr Shekhehpour was not able to show his understanding of the licensing objective.</p>
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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 and 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: 3 January 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.



**BESTWAY
WHOLESALE**

Location: BVV MANCHESTER (Code 914)
Bestway
NEWTON HEATH
MANCHESTER M40 8YT

Sold by: Alcohol Reseller No: XFAW0520101530
[REDACTED]
DEP MGR:
BAM MGR:
Telephone: 0161 203 4000
Email: DL-
Cashier:
Scanner(s): [REDACTED]

Invoice



Invoice No. [REDACTED]

Cash / Time [REDACTED]

Total [REDACTED]

Page 1 of 2

Customer no.: 914446046 (Type 2)
BEYTOUSHI MARKET LTD
406
BURY NEW ROAD
MANCHESTER M25 1SD

VAT Number: 15366427

Contact: BAPHAM HASSANZADEH
Telephone: [REDACTED]
Email: [REDACTED]

Code	Barcode	Description	Pack	Qty	Unit Price (Ex VAT)	Line Value (Ex VAT)	VAT Code	SRP	PC
		Merge Transaction: 237332407							
22874	5054073097875	B/N ENERGY 45P 250ML	1x24	5	£5.85(S)	£29.25	1	£0.45	35
8359	5017726439064	COKE ZERO CHERRY £1.20 500ML	1x12	1	£7.49	£7.49	1	£1.20	37
8772	4062139015214	LIPTON VTEA PEACH £1.35 500ML	1x12	1	£8.49(S)	£8.49	1	£1.35	37
4454	5060647548158	MONSTER ULTRA WIMLN 1.55 500ML	1x12	1	£9.29	£9.29	1	£1.55	4
871	5060947546097	MONSTER PIPELINE £1.65 500ML	1x12	1	£9.99	£9.99	1	£1.65	
		MONSTER MANGO LOCO 1.65 500ML			£9.99	£9.99	1	£1.65	

Appendix 3

Representation from the Trading Standards Service

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

Application for a Premises Licence to be Granted

Application Number (if known):	n/a
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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

	Child Protection	
x	Weights and Measures	
	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:	Kelly Halligan	
Job Title:	Unit Manger – Trading Standards	
Tele number:	0161 253 5091	
Email:	k.j.halligan@bury.gov.uk	
Address:	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*
<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>	

Section 3A – The Objectives

To prevent crime and disorder

Please state your reasons:

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

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

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

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

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

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

Mr Hassanzadeh was asked about the food in the shop, as a lot of it contained no English labelling, so there was no allergen labelling either on the products. He said he didn't buy it, the boss did, PC Eccleston and I

tried to explain that if someone had a allergy then they couldn't read what was in the product to avoid consuming something that could potentially be fatal to them. After trying for some time to get Mr Hassanzadeh to understand the serious of the matter, I just asked him to go through the stock, and removed everything without an English label until, he could get labels to stick on the products from his suppliers with the correct information on.

The application was withdrawn on 18 April 2024.

Following on from this visit it was established that the business was a limited company called Beytoushi Market Ltd, company number 15360427, director was Barham Hassanzadeh, Behzad's brother, and the business rates where in the name of the limited company.

On the 15th October 2024, a further visit was carried out to the premises as part of a day of action and present was Behzad again. As part of the day of action we took the tobacco dog. A seizure from a concealed hiding place identified by the dog, 108 packets of cigarettes, and 14 packets of hand rolling tobacco where seized which where either foreign labelled, in non-standardised packaging, or counterfeit. Also seized where 111 vapes which exceeded the maximum capacity in the UK. Present in the shop was Behzad Hassanzadeh. The business rates where also being paid by the original limited company Beytoushi Market Ltd.

On the 10th December 2024, an application for a Premises Licence for Beytoushi, 406 Bury New Road, for the sale of alcohol, was made by Alireza Shekhehpour as the Premises Licence Holder naming himself as Designated Premises Supervisor.

On the 19th December 2024 a visit was carried out to the premises at 406 Bury New Road Prestwich. Prior to this visit a check was carried out with business rates and the account was still in the name of Beytoushi Market Ltd, company number 15360427, as it had been since the 1st January 2024. Present in the shop was Barham Hassanzadeh, he explained that he is the brother of Behzad Hassanzadeh, the previous applicant for the licence which was withdrawn. He claimed to have sold the shop to Alireza Shekhehpour, about a month ago, for £5,000 plus stock. We found on the premises 5 vapes which exceeded maximum capacity, so these were seized by me. We also found 27 items of food beyond its use by date the worst being filo pastry dated October 2024 and numerous packets of sausage with use by of 1/12/24, 9 beyond best before dates with pate and humous dated in October and 7 with an expiry date which was exceeded and not a term used in the UK. We also found numerous products without any English labelling, which means allergens won't be identified to the potential purchaser.

In the premises was a letter from company's house for a different company Beytoushi Markt Ltd company number 16117601 for which Alireza Shekhehpour was the sole director. There was also a cash and carry invoice, dated 10th December 2024 but that was in the name of the original limited company like the business rates and had Barham Hassanzadeh

	<p>name on. Miss Jones took a picture of this and produces it in her representation.</p> <p>Mr Shekhehpour arrived later during our visit. When questioned as to the ownership of the shop he informed us that he is unable to provide any paperwork to prove he is the new owner as he does not have a lease or any legal paperwork to show that he has bought the business.</p> <p>Mr Shekhehpour was asked if he had a personal licence, he said no he had applied, so Miss Jones asked about the licensing objectives, but he didn't seem to have very much knowledge.</p> <p>On the 20th December, the Licensing Authority rejected the application due to failing to advertise correctly and since then a further application has been submitted on the 2nd January 2025.</p> <p>The trading standards authority has serious concerns as to who will be managing the shop and who the actual business owner is, and how this will affect the sale of alcohol and how the licensing objectives will be met by Mr Shekhehpour as he shows little understanding of what is required of him together with the previous history of behaviour at the premises that all undermines the crime and prevention objective.</p>
Public safety	Please state your reasons:
To prevent public nuisance	Please state your reasons:
The protection of children from harm	<p>Please state your reasons:</p> <p>As above as Mr Shekhehpour was not able to show his understanding of the licensing objectives, and the shop has on a few occasions be caught with illicit products.</p>

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 and 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.

K. Haugan

Signed: ...

.....Dated: 6/1/24

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

Appendix 4

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:

Beytoushi Market
406 Bury New Road
Prestwich
Manchester
M25 1BD

Type of application.

New premises license application

Application Number (if known):	N/A
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Section 2 – Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

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

	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 2256
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	
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>	

Section 3A – The Objectives	
To prevent crime and disorder	<p>Please state your reasons:</p> <p>Please accept this as a formal representation from Greater Manchester Police with regards to the new premises license application for Beytoushi Market at 406 Bury New Road, Prestwich, M25 1BD.</p> <p>An application was made for the sale of alcohol relating to the above premises on the 26th February 2024. A Mr Behzad Hassanzadeh named himself as the Premises License Holder (PLH) as well as the Designated Premises Supervisor (DPS)</p> <p>Mr Hassanzadeh obtained his Personal License from Bury Council on the 28th February 2024 after recently obtaining his Personal License Qualification in January 2024.</p> <p>On the 5th March 2024, PC Eccleston along with Kelly Halligan from Trading Standards and Laura Jones from Bury Council Licensing Department visited the premises after a recent complaint had been received by Trading Standards claiming that the shop was selling illicit cigarettes.</p> <p>On entering the premises, a lone male was stood behind the serving counter at the other end of the shop floor. As we approached, the male went out of sight and he could be heard moving carrier bags from behind the counter and through the door into the rear storeroom area. PC Eccleston repeatedly asked the male to stop moving the bags and to return to the counter. These requests were ignored therefore PC Eccleston had to climb over the counter to gain access to the rear storerooms where he was able to detain the male and prevent any further concealment of evidence.</p> <p>The bags were recovered, and they were found to contain 6320 cigarettes (319 packets) and 1.75 Kg (35 packets) of hand rolling tobacco. This was seized by Kelly Halligan.</p> <p>On speaking to the male, he introduced himself as Behzad Hassanzadeh (the applicant for the premises license) and following this visit, a representation was made against the application and in the days that followed, the application was withdrawn, on the 18th April 2024.</p>

The premises was revisited on the 15th October 2024. Those present were Kelly Halligan (Trading Standards), Laura Jones (Bury Council Licensing Department) and PC Eccleston. Also present was a tobacco dog and its respective handler. During the course of the visit, 108 packets of illicit cigarettes, 111 illegal vapes and 14 packets of hand rolling tobacco were recovered after being concealed in various parts of the premises.

On the 10th December 2024, a new premises license application was received by GMP naming Alireza Shekhehpour as the proposed Premises Licence Holder and Designated Premises Supervisor.

Following this new application, a further visit was conducted on the 19th December 2024 by Kelly Halligan, Laura Jones and PC Eccleston. Mr Barham Hassanzadeh was present and working behind the counter. During the conversations, he acknowledged that he is the brother of Behzad Hassanzadeh. Behzad was the previous applicant which was withdrawn back on the 18th April 2024.

This raised concerns as to the actual ownership and Mr Hassanzadeh was subsequently asked questions to obtain an understanding. He was asked who owns the business and he claimed that the business was sold around a month prior to a Mr Shekhehpour however, a cash & carry invoice, dated the 10th December, which was addressed to Mr Hassanzadeh was recovered.

While still present at the premises, Mr Shekhehpour arrived. He was also asked questions around the ownership of the premises and he stated that he didn't have a lease for the premises or any documentation to show he had bought the business.

As the conversation continued, Mr Shekhehpour was asked questions with regards being a Personal Licence Holder. He stated that at that present time, he was waiting to undergo the respective training and when asked questions to ascertain his general understanding of being a personal license holder and the four licensing objectives, the most he could say was that he had to ask for ID. He was not able to elaborate any further and had no knowledge whatsoever with regards the licensing objectives or his responsibilities under the Licensing Act.

During the course of this visit a small quantity of illegal vapes were recovered from the premises and after a closer inspection of the food goods, a large quantity was found to be out of date by several months and did not have the respective English labelling.

On the 20th December, the Licensing Authority rejected the application due to failing to advertise correctly and since then a further application has been submitted on the 2nd January 2025.

Under the circumstances, Greater Manchester Police has serious concerns that the licensing objectives will be undermined namely under Crime and Prevention, Public Safety and Protecting Children from Harm. First and foremost, there has been a considerable amount of illegal vapes

	as well as illicit tobacco recovered from the premises. There is a lack of knowledge and understanding with regards the roles and responsibilities of a Designated Premises Supervisor and the sale of Alcohol and there are real concerns with regards who owns the premises and who will be managing the premises with no clear direction or tangible proof.
Public safety	Please state your reasons:
To prevent public nuisance	Please state your reasons:
The protection of children from harm	Please state your reasons: As above. The proposes PLH/DPS was not able to demonstrate a level of understanding relating to sale of alcohol to minors and therefore poses a huge risk to the integrity of this objective and subsequent safety of children.

Section 3B – Suggestions/Further information

Under the circumstances as outlined above, it is quite clear that there is no regard for the licensing objectives nor the law and if granted there is a serious risk that the licensing objectives will continue to be undermined. As such GMP are asking that serious consideration be given to the refusal of the Premises License Application in its entirety 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 than 6-month intervals. All training records shall be made available upon request from the police or an authorised officer of the local authority.

Prevention of Public Nuisance

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

Protection of Children from Harm

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

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

dated: 03/01/2025

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