

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 3rd October 2025

Present: Councillor T Rafiq (in the Chair)
Councillors L McBriar and M Walsh

Also in attendance: L. Bell (Licensing Unit)
M. Cunliffe (Democratic Services)
D. Rice (Legal Services)

Mr E Peters (Applicant)
PC P Ecclestone (GMP- Representor)
K Halligan (Trading Standards- Representor)
J Naylor (Trading Standards)
Councillor D Green

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

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by M. Bridge (Licensing Unit Manager).

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF PRESTWICH STORE, 3 FAIRFAX ROAD, PRESTWICH, M25 1AS

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Prestwich Store, 3 Fairfax Road, Prestwich, M25 1AS.

The applicant for the licence is Access Pay Limited, 10 Bridge Street Warrington, WA1 2QW. Mr Ezekiel Peters, 1 Yewdale Drive, Middleton M24 4FS is the proposed Designated Premises Supervisor (DPS).

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

The Deputy Licensing Unit Officer 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 Where representations are made and not withdrawn Members are required to determine them.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:

Monday to Saturday	08.00 till 00.00 (Midnight)
Sunday	09.00 to 23.00

Supply of Alcohol (off the premises only):

Monday to Saturday	08.00 till 23.30
Sunday	09.00 to 22.30

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

Two representations had been received from interested parties and both Greater Manchester Police and Trading Standards had been invited to make their representations at the hearing. The representations were attached at Appendix 2 and Appendix 3 in the agenda packs.

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

The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken. In making its decision with regard to this application hearing, the steps the Sub Committee can take are as follows:-

- 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 Peters addressed the Sub Committee and informed Members of a brief history in relation to his businesses. He was unsure why no one could clarify who he was from the business address provided for the building in Warrington which is where his former business partner retains property. He wanted to clear the matter up in relation to impacting upon his character and there were plans for his business to grow into a franchise. He had also undergone a breakdown in his marriage and his mother had been in hospital so his business administration tasks in the previous months may not have been up to the usual standards but everything had been conducted in good faith.

The Deputy Licensing Unit Officer reported that the business address had changed from Warrington to the applicant's home address a few days after the application had been submitted. The licensing authority had not been notified of this change which was an important element.

The Trading Standards Officer enquired what was the main line of work for the business and Mr Peters stated financial technology with card payments systems within the hospitality industry.

The Trading Standards Officer commented upon other businesses listed on companies house and did he buy property. Mr Peters reported he had bought and refurbished and sold property with one company being for his daughter.

The Trading Standards Officer asked how much time would you spend in the shop and Mr Peters reported he lived only 10 minutes away from his home and his personal issued had now been resolved so he was in a better place to manage his businesses. He would not work behind the counter but would employ a manager and could be there twice a day for a couple of hours.

The Trading Standards Officer enquired why he was acting as an agent on a previous application and Mr Peters explained he needed to know how this element of the business worked for himself. He confirmed that he had no connections anymore to Warrington and was just good friends with the business located at 10 Bridge Street. He had no connection with that shop apart from installing a payment machine.

A Member questioned if you were close friends why had the tenant or landlord never heard of you. Mr Peters explained he was just friends with the owners of the shop and not the landlord of the building.

A Member enquired about the names of businesses registered at companies house and an application had been made on the 1st April but a week before the company had been dissolved on the 25th March. After lengthy discussions and input from the legal representative and Licensing Officer, the application in April had been made in a slightly different business name. Therefore, there was an error in the report with Prestwich Store Ltd replacing the wording Prestwich Mini Market Ltd.

The Trading Standards Officer asked how many other off licences he was involved with and Mr Peters reported not a single one and he would like to start trading creating a franchise.

PC Peter Eccleston, the Bury District Licensing Officer presented a formal representation from Greater Manchester Police with regards to the application.

A premises license application with a request for the sale of alcohol was made on the 1st April 2025. The proposed license holder was Prestwich Store Ltd who has a sole director, namely a Mr Ebrahime. Mr Ebrahime was nominated as the proposed DPS. The agent acting on behalf of Mr Ebrahime and making the application was Ezekiel Peters of Access Pay Ltd with a registered business address of 10 Bridge Street, Warrington, WA1 2QW.

Following the application, I along with Kelly Halligan and Joe Naylor from Bury Councils Trading Standards, Luke Solczak from Bury Councils Licensing Department, Colleagues from Greater Manchester Fire and Rescue Service, Immigration and Wagtails conducted a joint visit on the 10th April 2025 as part of an annual day of action.

The proposed DPS was present in the store and following a compliance check, 190 packets of illicit tobacco, 13 packs of hand rolling tobacco and 108 illegal vapes were recovered by Trading Standards within the store and a vehicle outside.

Based on this discovery, I along with Trading Standards and Licensing Departments submitted representations to that application and prior to the hearing taking place, the application was withdrawn.

Following this withdrawal, there have been a number of other premises license application which have either been withdrawn or rejected due to none compliance with advertising requirements.

On the 9th July 2025, an application was submitted for Prestwich Store, at the same address. The applicant was submitted by Ezekiel Peters in the same company name of Access Pay Ltd with the same registered address of 10 Bridge Street, Warrington. The contact information such as the email address and phone number, provided on the application was the same as those provided on the application for which was submitted on the 1st April 2025. The application was rejected due to failing to advertise.

On the 15th July 2025, yet another application was made with exactly the same details and yet again it was rejected due to failing to advertise.

On the 23rd July 25, I along with Laura Bell (Council Licensing) and Kelly Halligan (Trading Standards) attended the store once again. Nothing elicited was found on this occasion however it was noted that there wasn't a lot of stock in the store.

On the 11th August 25, another application was received with exactly the same details as previously such as the proposed license holder; Access Pay Ltd and proposed DPS being Ezekiel Peters.

Intelligence checks were carried out by Kelly Halligan and based on the information she provided I contacted the Police Licensing Officer in Cheshire to see what information or intelligence they had in relation to Ezekiel Peters and or the address, 10 Bridge Street, Warrington.

In response to my request, the licensing officer in Cheshire stated that the address provided by Ezekiel Peters, is in fact a shop however on conducting further enquiries with the landlord

and current tenant of the premises, Mr Peters is not known to either of them and permission has never been given to the use the premises as a registered business address for Mr Peters.

Greater Manchester Police has serious concerns as to whether the licensing objectives will be upheld in this case. First of all, illicit tobacco and illegal vapes have been found on the premises which undermines the Prevention of Crime and Disorder objective, furthermore there are serious concerns as to who will actually be responsible for the running and management of the premises as Mr Peters has never been located on the premises in previous visits and it would appear that the registered business address for Access Pay Ltd, which is owned by the proposed license holder and DPS, Ezekiel Peters, is in fact another off license and no one associated with those premises, know of a Mr Ezekiel Peters nor have given permission for Mr Peters to use the premises as a registered business address.

This calls in to question, the legitimacy of the business going forward, which raises concerns over the licensing objectives being upheld and it is the opinion of Greater Manchester Police that this application should be rejected in its entirety.

Kelly Halligan presented a formal representation from Trading Standards with regards to the application.

An application for a Premises Licence for Prestwich Store Ltd, for the sale of alcohol, was made on 1st April 2025 by Mr. Ebrahime who is the sole director of the business is and had applied to be the designated premises supervisor. The agent making the application for the licence was Ezekiel Peters, of Access Pay Ltd, 10 Bridge Street, Warrington, WA12QW.

On the 10th April 2025 I attended Prestwich Mini Market as part of a day of action. 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.

Upon entering the premises, the applicant was situated behind the shop counter. After a look round the shop and the vehicle the applicant was in charge of, I seized the 190 packets of illicit tobacco, 13 packets of hand rolling tobacco (650g) and 108 vapes.

Based on the visit to the premises, representations were made against the granting of the licence, by GMP, Licensing and Trading Standards. The licence application was withdrawn.

On the 9th July 2025, a further application was put in for the premise, this time called Prestwich Store, of the same address, 3 Fairfax Road, Prestwich, by the agent Ezekiel Peters, in the company name Access Pay Ltd, registered office address 10 Bridge Street, Warrington, WA12QW, of which Ezekiel Peters was the director. The email address and contact phone number where the same as the application put in by Mr Ebrahime, for Prestwich Mini Market Ltd. The DPS was given as Ezekiel Peters. This application was rejected due to failing to advertise.

On the 15th July, the same application was received again, again rejected due to failure to advertise.

On the 23rd July, I visited the shop with PC Eccleston from GMP, and Laura Bell from Licensing, there was not a lot of stock in the shop. Mr Peters was not on the premises when we visited.

On the 29th July the application was submitted again, this time it was withdrawn.

On the 11th August the same application was received again. Same company details Access Pay, same registered office address and same DPS Ezekiel Peters. Intelligence checks show that the registered office address of 10 Bridge Street, Warrington, WA12QW is an off licence called Super-Off-Licence. In June 2025, a seizure of 253 illegal vapes was made from that premises. Having corresponded with the police licensing officer in Warrington and Warrington Trading Standards, the name Ezekiel Peters and the Business Access Pay Ltd, are not names they have come across when dealing with the premises. The shop in Warrington is owned by a local family to Warrington and has its own licensing consultant.

The Responsible Authority has serious concerns as to who will actually be responsible and running this shop. The licence holder and the DPS will be named as Ezekiel Peters. Mr Peters has been named as the agent in previous applications and hasn't been present when we visited. Whilst the previous application was going through, illicit goods were found on the premises, and illicit goods undermined the prevention of crime and disorder objective. The registered office address for Access Pay Ltd is also an off licence in Warrington, which has been caught in June this year with illegal vapes. Due to the undermining of the crime and disorder objective, the Weights and Measures Authority would request that the application is refused.

A number of photographs displaying items seized was included in the agenda packs.

A Member enquired if any prosecutions had taken place on Prestwich Store Ltd and it was reported investigations are still on going.

Kelly Halligan added that a when the store was last visited in September the stock was very sparse with empty crips boxes. A test purchase was conducted with cigarettes bought for £5 which were counterfeit.

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 causes for concern so far as the promotion of the licensing objectives were concerned in relation to:-

- the prevention of crime and disorder
- public safety

There was a serious risk of undermining the prevention of crime and disorder with the evidence presented by the representations and concerns for public safety in relation to illicit vapes and tobacco.

It was therefore agreed unanimously that the Sub- Committee **refuse the application.**

The applicant did not return to the virtual meeting and was therefore not present when the decision was communicated to all concerned. They would be contacted by the Licensing Department and informed of the outcome.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 10.30am and ended at 12.05pm)

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