

AGENDA ITEM NO.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE – 26th FEBRUARY 2013

REPORT OF THE HEAD OF PUBLIC PROTECTION

REPORT REF. NO.

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE –
P & H CONVENIENCE STORE, 26 CARRINGTON ROAD, FLIXTON,
MANCHESTER, M41 6HX**

PURPOSE

To advise Members of an application for the Grant of a premises licence for P & H Convenience Store, 26 Carrington Road, Flixton, Manchester, M41 6HX which has attracted representations from local residents.

OPTIONS

The Sub-Committee to take such steps as they consider necessary for the promotion of the Licensing Objectives in accordance with the provisions of section 18 (4) of the Licensing Act 2003

**Iain Veitch
Head of Public Protection**

Further Information From:

Name: Joanne Boyle
Licensing Team Leader

Extension: 4129

Proper Officer for the purposes of L.G.A 1972,S.100D
(background papers): Head of Public Protection

Appendices:

Appendix A – Location Map

Appendix B - Application and Operating Schedule including premises layout

Appendix C –Representations from local residents C1 – C2

1. Application for the Grant of a New Premises Licence

1.1 On 7th January, 2013, the Licensing Department received an application (**Appendix B**) from Mr Parvaiz Haider, Director of P & H Convenience Store Limited for the grant of a new premises licence for 26 Carrington Road, Flixton, Manchester, M41 6HX.

1.2 The application requests the granting of a premises licence for the Supply of Alcohol (off premises). The licensable hours requested are shown below:

<u>Premises Opening Hours</u>	<u>Time From</u>	<u>Time To</u>
Monday to Sunday	07:00am	22:30pm

<u>Activities - Times Requested</u>	<u>Time From</u>	<u>Time To</u>
M. The sale by retail of alcohol for consumption OFF the premises		
Monday to Sunday	07:00am	22.30pm

2.3 P & H Convenience Store Limited, the applicant, has complied with all requirements under the application process including advertising the application in a newspaper, advertising by way of public notice at the premises and submitting a copy of the complete application to all Responsible Authorities. The application is deemed to be correctly submitted.

2. Representations

2.1 On 28th January, 2013 the Licensing Section received a representation against the application from Mr Peter Mullen (**Appendix C1**) a local resident.

2.2 On 30th January, 2013 the Licensing Section received a further representation against the application from Mr & Mrs Mullen (**Appendix C2**) both local residents.

2.3 The Committee are respectfully advised that the representations broadly relate to the Licensing Objective:

- Prevention of Public Nuisance

2.4 The Members will be required to determine the relevance of the representations. When considering the relevance of the representations the Licensing Sub-Committee must apply three rules:

- the representation must be from persons who live, or are involved in a business in the area and are likely to be affected by the application;
- it must not be repetitious, vexatious or frivolous; and
- it must relate to one or more of the licensing objectives

3. Licensing Policy and Guidance

- 3.1** The Committee are respectfully referred to Section 6 of the Council's own Licensing Policy relating to the Licensing Act 2003 objectives and to Section 2 of the Secretary of State's Guidance.

4. Options

- 4.1** The Sub-Committee to take such steps as they consider necessary for the promotion of the Licensing Objectives in accordance with the provisions of 18(4) of the Licensing Act 2003. The steps specified are:

4.1.1 To grant the licence subject to-

- Conditions consistent with the operating schedule accompanying the application modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and;
- Any mandatory conditions which must be included under the Licensing Act 2003

4.1.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;

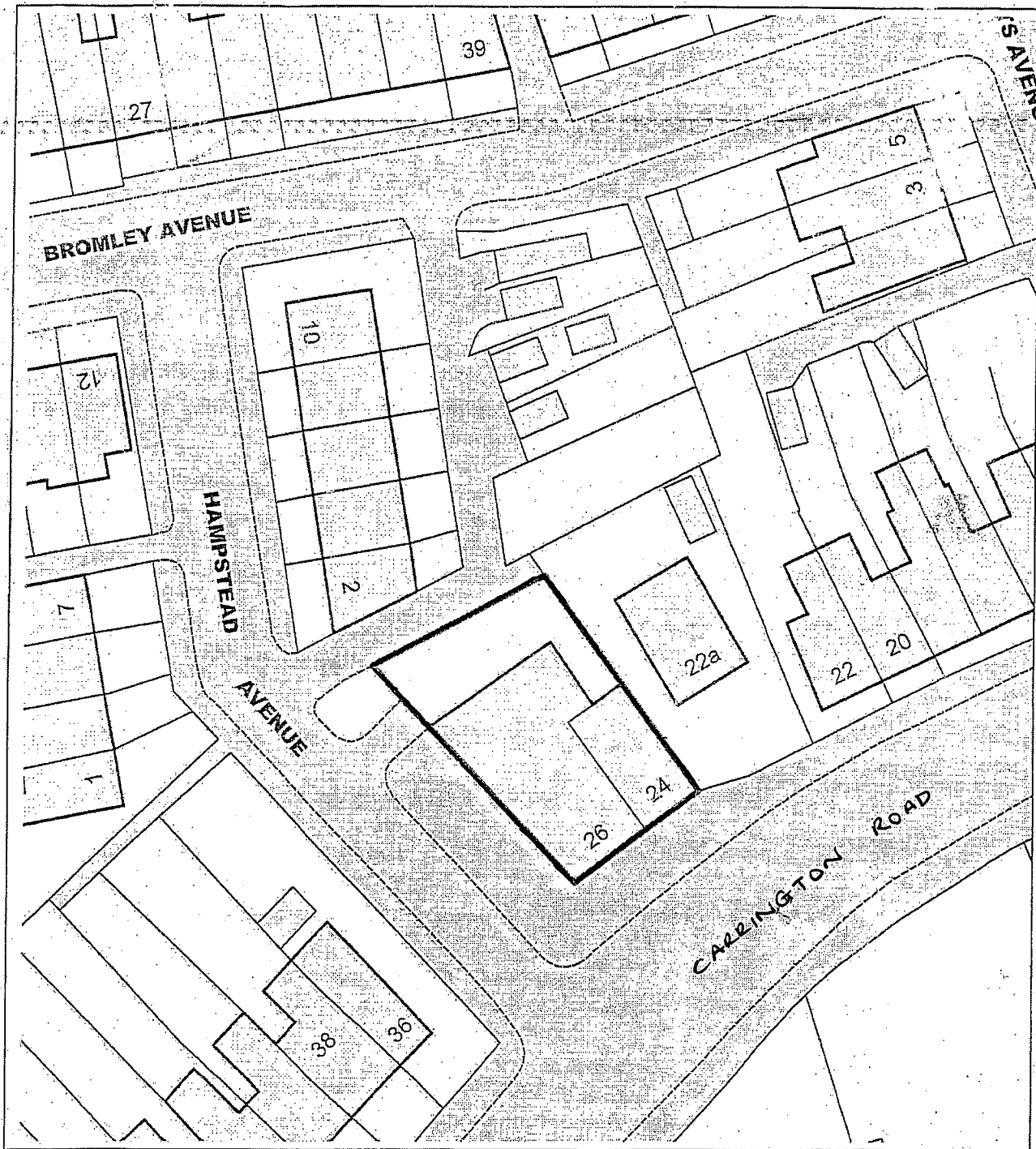
4.1.3 to refuse to specify a person in the licence as the premises supervisor;

4.1.4 to reject the application.

- 4.2** The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probability and any decision should be based on the individual merits of the application.

- 4.3** The Sub-Committee, in arriving at its decision, must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.

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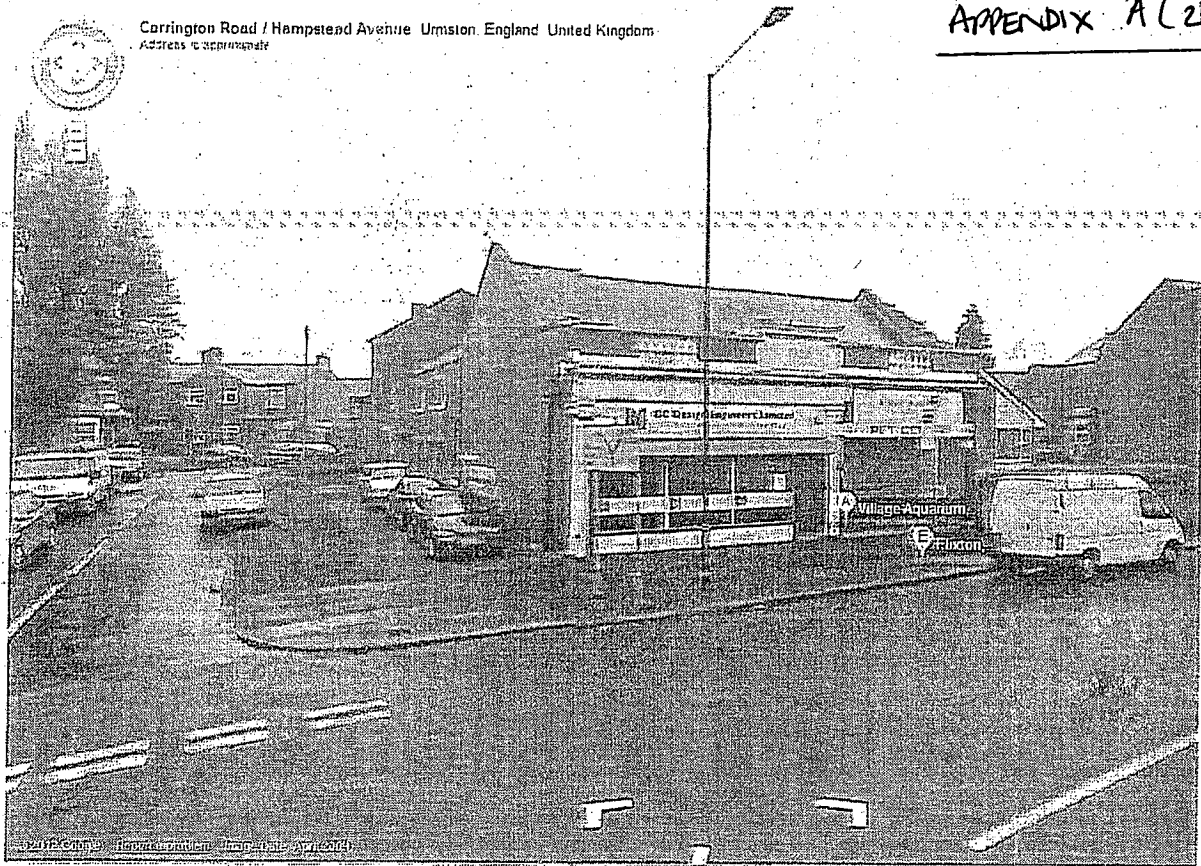
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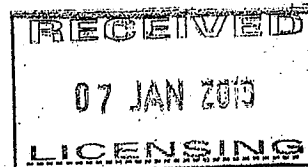
Google

To see all the details that are visible on the screen, use the Print link next to the map.

Carrington Road / Hampstead Avenue Urmston, England, United Kingdom
Address is approximate

APPENDIX A (2)





LDO: 4/2/13

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We P & H CONVENIENCE STORE LTD (Insert name(s) of applicant)

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
26 - CARRINGTON ROAD
M41 6HX
Post town FLIXTON Post code M41 6HX

Telephone number at premises (if any)
Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as Please tick yes

- a) an individual or individuals * [] please complete section (A)
b) a person other than an individual *
i. as a limited company [x] please complete section (B)

APPENDIX B

- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	PARVAIZ HAIDER (PSH CONVENIENCE STORE)
Address	8- CESTRIAN STREET BOLTON BL3 2BD LTD
Registered number (where applicable)	07593589.
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY LTD
Telephone number (if any)	07877068020
E-mail address (optional)	PARVAIZ781@YAHOO.CO.UK

Part 3 Operating Schedule

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When do you want the premises licence to start?

Day	Month	Year
07	07	04

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

Day	Month	Year
1	1	1

Please give a general description of the premises (please read guidance note 1)

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

15

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

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

Provision of regulated entertainment

Please tick yes

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

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

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

In all cases complete boxes K, L and P

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A

Plays: Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both:	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

APPENDIX B

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

APPENDIX B

C

Indoor sporting events. Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

APPENDIX B

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

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F

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Day	Start	Finish	Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed				
Thur.			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)	
Fri				
Sat				
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

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F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

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G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

APPENDIX B

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue				<u>Please give further details here</u> (please read guidance note 3)	
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

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Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

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J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)					
Mon	07:00 AM	10:30 PM						
Tue	07:00 AM	10:30 PM						
Wed	07:00 AM	10:30 PM						
Thur	07:00 AM	10:30 PM				<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	07:00 AM	10:30 PM						
Sat	07:00 AM	10:30 PM						
Sun	07:00 AM	10:30 PM						

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	MOHAMMAD AKHTAR / PARVAIZ HAIDER
Address	8 CESTRIAN STREET BOLTON / 8 CESTRIAN STREET BOLTON
Postcode	BL3 2BD / BL3 2BD
Personal Licence number (if known)	PA2041
Issuing licensing authority (if known)	BOLTON

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K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NIL

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish	NIL	
Mon	07:00	10:30		
	AM	PM		
Tue	07:00	10:30		
	AM	PM		
Wed	07:00	10:30		
	AM	PM		
Thur	07:00	10:30		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</u> NIL
	AM	PM		
Fri	07:00	10:30		
	AM	PM		
Sat	07:00	10:30		
	AM	PM		
Sun	07:00	10:30		
	AM	PM		

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The subject premises will apply a standard of operation which will ensure compliance with all four licensing objectives based upon factors more particularly outlined in b-e sections

b) The prevention of crime and disorder

The style of operation at this premises is designed to minimise crime and disorder. This will be achieved by the use of CCTV with the retention of tapes or discs for a minimum period of 31 days for prosecution purposes. This premises will operate a challenge 21 Policy as a minimum in order to ensure that liquor is sold only to persons of lawful age. All staff undergo training concerning knowledge of licensing laws together with the social impact of sale of Alcohol.

c) Public safety

The premises will comply with current legal requirements for fire safety and Health and Safety including periodic risk assessments.

d) The prevention of public nuisance

This premises are proposed to be licensed for the consumption of liquor off the premises only. In addition to there being no consumption on the premises, there is no form of entertainment on the premises. The premises operate within the required litter/refuse regulations adopted by the local council. The management policy at the premises is to welcome communication with any local persons in relation to any issues which arise concerning the operation of these premises.

e) The protection of children from harm

It is proposed that this premises will benefit from a premises licence for consumption off the premises only. The company operate a challenge 21 policy any person not looking the age of 21 must prove their identification concerning the issue of age are a ten year passport, a photocard driving licence or a approved pass logo & proof of age card. There will be prominent signage located throughout the store confirming the legal minimum age for the purchase of alcohol and other age related products and company policy.

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Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	PARVIAZ HAIDER
Date	7-1-2013
Capacity	

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

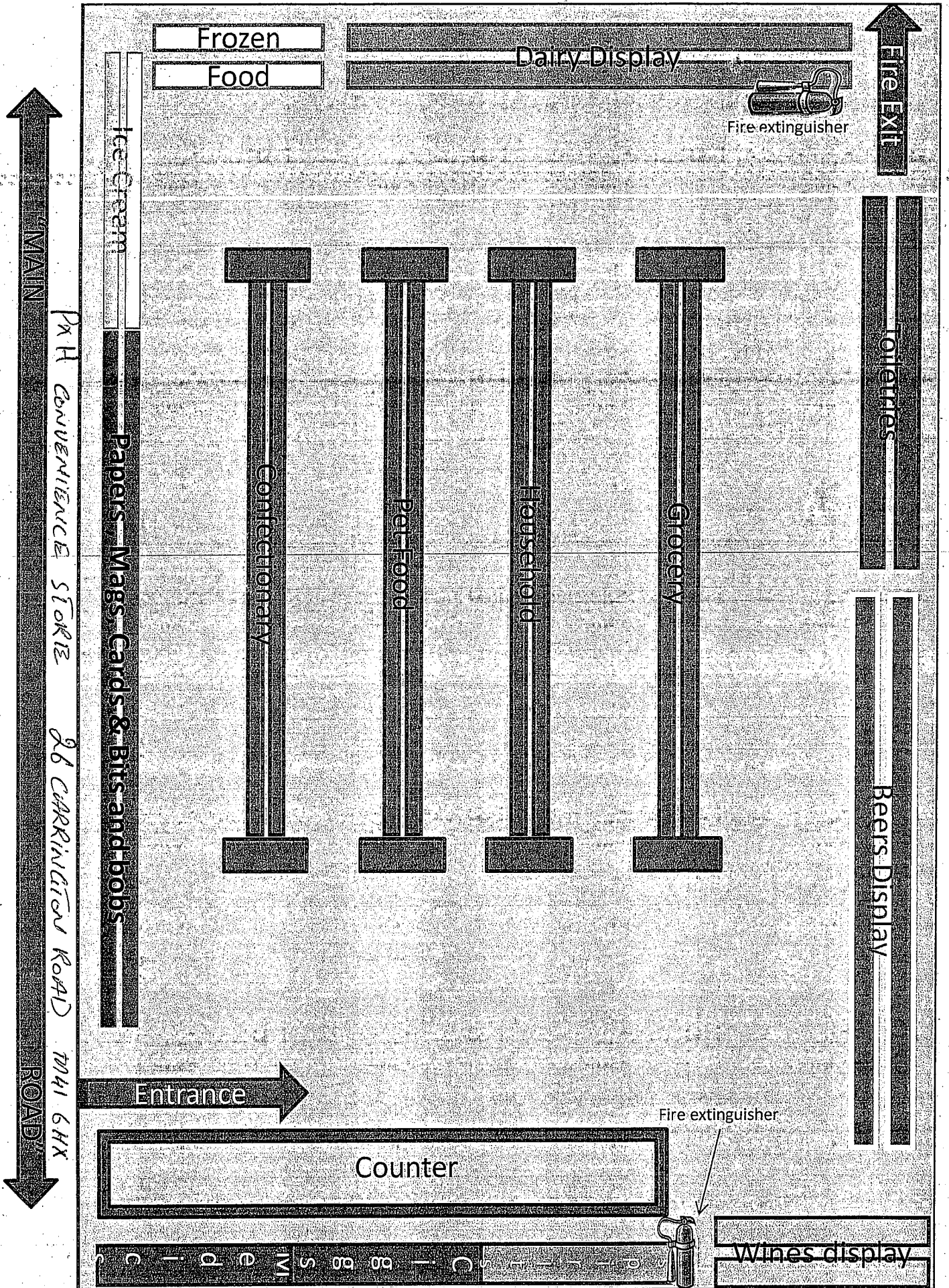
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

PARVIAZ HAIDER
8 cestrian street
Bolton

Post town	Bolton	Post code	BL3 2BD
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

APPENDIX B



APPENDIX C(1)

From: Peter [mailto:petermullen1@msn.com]

Sent: 28 January 2013 22:16

To: Licensing

Subject: Re: PSH Convenience Store Ltd, 26 Carrington Road Urmston M41 6HX - Ref. LA5159/13

Dear The Licensing Manager,

Ref: LA5159/13

I am writing to register my objection to the application for a premises licence by Parvaiz Haider PSH Convenience Store Ltd, 26 Carrington Road Urmston M41 6HX. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 7:00am and 10.30pm, seven days a week! Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises which we simply do not need.

I believe residents (including myself) will suffer from noise, nuisance and antisocial behaviour if you were to grant this license.

In view of the above, I would urge the Licensing Authority to refuse the application.

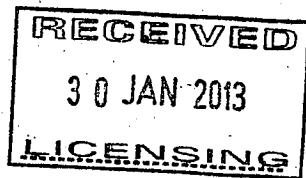
I look forward to your confirmation letter confirming the application will be refused.

Yours faithfully,

Peter Mullen

42 Carrington Road
Urmston
M41 6HX

Sent from my ipad



Mr & Mrs J. Nuttall
 44, Carrington Rd
 Flaxton
 Urmston
 M41 6HX

Dear Sir/Madam,

I am writing to object to the application for a licence to sell alcohol at 26, Carrington Road LA 5 59/13. My reason for this is we have more than enough licenced premises within spilling distance, 2 Pubs, 1 coop shop, 1 convenience shop, 1 club all selling alcohol and a garage selling convenience food.

We have enough problems with anti social behaviour as it is with teenagers hanging about outside this premises asking adults to buy them beer. This shop is also opposite a bus stop on a very busy road, next to a tee junction that has been deemed dangerous and has double yellow lines. The only parking in on the pavement causing a danger to road users and pedestrians

Yours

Mr John Nuttall
 Mrs Sandra Nuttall