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SPEAKERS PANEL (LIQUOR LICENSING)

Day: Monday
Date: 22 November 2021
Time: 10.00 am
Place: Zoom

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest.	
3.	MINUTES To approve as a correct record the Minutes of the proceedings of the meetings of the Speakers' Panel (Liquor Licensing) held on 10 and 11 August 2021.	1 - 16
4.	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – PREMIER - HURST CROSS CONVENIENCE STORE, 187-193 KINGS ROAD, ASHTON -UNDER - LYNE, OL6 5HD To consider the attached report of the Assistant Director, Operations and Neighbourhoods.	17 - 102

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Principal Democratic Services Officer, 0161 342 3050 or Carolyn.eaton@tameside.gov.uk, to whom any apologies for absence should be notified.

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Agenda Item 3

SPEAKERS PANEL (LIQUOR LICENSING)

10 August 2021

Commenced: 10.00am

Terminated: 12.10pm

Present: Councillors Lewis (Chair), Bowden and Quinn

In Attendance: Mike Robinson Regulatory Services Manager, TMBC
Rifat Iqbal Legal Representative, TMBC
Matthew Johnson Applicant
David Fisher Designated Premises Supervisor
Residents submitting representations

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7. MINUTES

The Minutes of the previous meetings held on 6 July and 7 July 2021 were agreed as a correct record.

8. APPLICATION FOR A NEW PREMISES LICENCE – THE BILLY GOAT PUBLIC HOUSE, 71-73 STAMFORD STREET, MOSSLEY, OL5 0JS

Mr Robinson presented the report to the Panel and identified the steps available to the Panel in determining the application.

Mr Robinson informed the Panel of the brief background to the application as set out in the report and summarised the representations received from:

- Local residents (4)

The Billy Goat Public House, 71-73 Stamford Street, Mossley, OL5 0JS was a former licensed premises. A site plan, including an up to date photograph of the premises, was attached at **Appendix 1** to the report.

On 8 June 2021, the Licensing Office received an application from Mr Matthew Johnson for a premises licence at Billy Goat, 71-73 Stamford Street, Mossley OL5 0JS. The application was summarised as follows:

- Live Music:
Monday – Sunday (15:00hrs – 00:00hrs)
- Recorded Music:
Monday-Sunday (12:00hrs – 00:00hrs)
- Late night refreshment
Monday-Sunday (23:00hrs – 00:00hrs)
- Supply of alcohol (On and Off the premises)
Monday-Sunday (12:00hrs – 00:00hrs)

A copy of this application was attached at **Appendix 4** to the report.

The previous premises licence for the Billy Goat was revoked by the Speaker's Panel (Liquor Licensing) on 23 July 2020. The licence was revoked following the premises trading in clear breach of The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 coming into force on 21 March 2020 at 2:00pm which required pubs, bars, restaurants and other specified premises to close. On this date, the premises continued to trade, even after being told by police officers to ensure all customers leave and to close the premises. A copy of the decision letter was attached to the report at **Appendix 2**.

On 19 February 2021, the Licensing Office received an application from David Fisher for a premises licence at Billy Goat, 71-73 Stamford Street, Mossley OL5 0JS. During the consultation period representations were received from Greater Manchester Police, the Licensing Authority and 6 members of the public. As such, the application was referred to the Speaker's Panel (Liquor Licensing) and the application was refused on 6 April 2021. A copy of the decision letter was attached to the report at **Appendix 3**.

A comparison table of licensable hours at other licensed premises in Mossley was attached to the report at **Appendix 5**.

A proportionate list of conditions had been agreed prior to the meeting between the applicant, PC Thorley (Greater Manchester Police) and James Horton (Tameside MBC Licensing) in order to promote the licensing objectives and mitigate the concerns of the nearby residents. A copy of the agreed conditions was attached to the report at **Appendix 6**.

The agreed conditions were provided to the residents for consideration with a meeting taking place with **Resident 1** on 6 July 2021 who was acting on behalf of the other residents that had submitted representations. **Resident 1** did not feel that the agreed conditions went far enough to mitigate their concerns and provided a response which was attached to the report at **Appendix 7**.

Mr Robinson referred the Panel to the Council's Statement of Licensing Policy and the Statutory Guidance.

The following submissions were made by the applicant in support of the Application.

- The Applicant stated he would read from a written statement
- The Applicant confirmed Mr Victor Bowers lease had been brought to an end.
- The applicant stated both Mr Victor Bowers and Ms Kath O'Neill (the previous DPS) will not be permitted on the premises and have no involvement with the pub going forward.
- Mr Johnson stated he was not aware of the previous issues encountered at the premises with no contact being received from the Police or the local authority. He stated the family learnt of the issues involving the Covid breaches through publicity on social media.
- The premises car park was used by parents of children attending St George's Primary School, which the Applicant had no issue with as it assisted with easing parking congestion however would be willing to comply with any restrictions imposed upon them in relation to this.
- By making this application for a premises licence under the Applicant changes would follow with the premises:
 - remaining as a public house
 - the Designated Premises Supervisor would be Mr David Fisher who had previous experience in the industry, has had some involvement with the premises in the past, is SIA registered and had attended various courses.
- The Applicant stated regular check-ins would take place with Mr Fisher and ensure no issues were arising affecting the residential community. Any matters arising would be addressed accordingly.
- Live music had been sought by the Applicant as it was regarded as being a popular way of attracting people to the venue.

- The Applicant addressed the proposed opening hours noting some premises in the area opened 5 days a week however this premises would be open 7 days a week to enable services/ facilities to be provided for funerals and christenings.
- Should the premises not be viable to open 7 days a week, the Applicant stated they would address this accordingly with reduced opening hours.

The Applicant gave the following responses to questions:

- He confirmed that he would do weekly/ fortnightly check-ins with Mr Fisher. He stated both he and his family lived local to the premises and would be attending at the premises and checking everything is as it should be.
- He confirmed in response to a question from Mr Robinson, that he would agree to a condition being added to the licence for no smoking at the front of the building.
- The Applicant stated he had held a licence between 2008 and 2011 with his late father managing the premises.
- The Applicant had no evidence as to how many funerals take place on a Monday or a Tuesday however wanted to have the option as a business to be open on those days of the week.
- The Applicant stated he had no evidence of how the trade would be affected if it was closed 1 or 2 days a week. Given the pandemic and what had happened over the last 18 months with businesses now trying to get back up and running, the Applicant wanted to have every opportunity available to make the premises a success.
- The Applicant stated he had met with the Police and the local authority and agreed conditions, whilst wanting to keep everyone happy this was not possible given the residents wanting the conditions to go further with the trading hours reduced.
- In relation to the financial funding questions and changes/improvements required to the building to meet industry standards to reduce noise nuisance, Mr Fisher answered these questions from Resident 2 and stated he understood the concerns being raised in relation to previous poor management at the premises which was unacceptable it had happened. Mr Fisher stated he did not want to open the premises up for complaints to be received. A discussion took place in relation to the extent of double glazed windows at the premises.

The Applicant and Mr Fisher clarified the matter being discussed today was in relation to the premises and not land at the rear of the premises

The following local residents attended the hearing and presented their representations to the Panel

- Resident 1 (Representation at **Appendix 8**)
- Resident 2 (Representation at **Appendix 11**)

The residents amplified their representations and responded to questions as follows:

- Resident 1 stated they were not objecting to the premises re-opening however were concerned with the noise aspect given the issues encountered in the past by residents and no steps taken to resolve matters when the premises were previously licensed.
- Resident 1 stated other premises in the area were still able to run and make a profit with reduced opening hours when compared with this application.
- Resident 1 stated the noise nuisance issues arose after 11pm to midnight. It was felt pub goers would leave other licensed premises knowing The Billy Goat was open late and a place at which they could get very drunk.
- Resident 1 stated the conditions agreed between the Applicant, the Police and the Licensing Authority did not far enough to deal with the current condition of the building and restricting the flow of noise from the premises with sound proofing and sufficient window glazing.
- Resident 1 felt he was not being unreasonable and noted other premises have live music and DJ sessions on twice a week, Tuesday for acoustic and a DJ on a Saturday and failed to understand why this premises wanted to open 7 days a week from 12 midday to midnight each day.

- Resident 1 requested a similar approach be adopted to the premises Summer Quays and for the opening hours to be varied together with a liaison officer being identified for communications between the parties. By having a variation to the opening hours Resident 1 stated this would resolve the issues and allow for the pub to re-open.
- Resident 2 stated profits should not be overrule the wellbeing of the residents and the antisocial behaviour suffered by the residents when the premises was open.
- Resident 2 stated over the last 18 months since the closure of the premises, their quality of life had much improved with no more disturbances late at night and their front doors no longer being banged on when patrons of the pub left the premises late at night very drunk.
- The impact upon the mental health and wellbeing of Resident 2 and her family had been immense and stated if the licence was to be granted there would be a negative impact upon the residents. Resident 2 concluded the premises licence should not be granted at this time.

All parties were provided with the opportunity to ask questions in relation to the representations made.

All parties were invited to provide a brief statement in summary.

Members of the Panel then retired to carefully consider the written submissions, representations and questions and answers during the hearing in addition to all the information provided. The Panel were accompanied by the Legal Representative and the Principal Democratic Services Officer who provided legal and procedural advice only and took no part in the decision making process.

In determining this matter, the Panel had due regard to:

- all oral and written evidence and submissions;
- the Council's Statement of Licensing Policy,
- the relevant sections of the Licensing Act 2003 and Regulations made thereunder
- the Guidance issued by the Secretary of State under section 182 of that Act.

The Panel determined the application pursuant to s18(3) of the Act having regard to the relevant representations and the requirement to take such steps as it considered appropriate to promote the licensing objectives.

The key points were as follows:

- The premises were located close to residential premises. Local residents reported that there had been problems for some years with the premises – including general anti-social behaviour, loud music and noise (often late at night). The Panel were satisfied that there had been a serious impact on local residents arising from the poor management of the premises over a number of years.
- In March 2020 there were serious breaches of the Covid-19 restrictions.
- As a result of the Covid-19 breaches the premises licence granted to Mr Victor Bowers was revoked following a Licensing Hearing in July 2020. An appeal against this decision was lodged but subsequently withdrawn in December 2020.
- A new application was received on 19 February 2021 from Mr David Fisher. Relevant representations were received from the Police, the Licensing Authority and local residents following a Licensing Hearing on 6 April 2021 was refused.
- The Applicant had presented details of how the premises are intended to operate with a view to having a family run pub.

The Police and Licensing Authority had reached a proportionate list of agreed conditions

The Panel considered all available options.

The Panel felt that the Applicant could not be held accountable for the actions and misdemeanours of the previous premises licence holders and designated premises supervisors.

On balance, having carefully considered all of the available information, the Panel concluded that this was an application that should be granted subject to the imposition of an additional condition to those agreed between the applicant, the Police and the Licensing Authority. Specifically, no smoking or drinking to take place in the front curtilage of the premises at any time.

STEPS TAKEN PURSUANT TO S18(4) LICENSING ACT 2003

The step that the Panel considered appropriate to promote the licensing objectives was to grant the application for a premises licence subject to:

- The conditions agreed between the applicant, the Police and the Licensing Authority; and
- Not to use the front of the premises for smoking or drinking at any time.

Parties were reminded that the Licensing Act 2003 provided a flexible approach to licensed premises. If any issues arose with regard to licensed premises which could not be resolved, a formal review of a licence could take place. An application to vary a licence could also be made.

The Panel thanked those attending the hearing for their contribution and assisting the Panel in reaching its decision.

RESOLVED

That the application be granted subject to the imposition of conditions as detailed above and in Appendix A to these Minutes.

CHAIR

APPENDIX A

The Billy Goat – Conditions imposed 10 August 2021

Staff Training

i. Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters.

ii. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority.

ii. Training regarding recognising the effects and signs of the consumption of Drugs and other substances under the Psychoactive Substances Act 2016 given to staff.

Immediate removal from the premises of anyone found or believed to have consumed any drug or psychoactive substance.

List of Authorised Persons

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

Personal Licence Holder to be on Premise at All Times

A Personal Licence Holder must be present at the premises at all times licensable activities, live music (amplified or unamplified), recorded music or any other types of entertainment (amplified or unamplified) are taking place.

CCTV

(i) A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police.

(ii) The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days.

(iii) The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

(iv) Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

(v) A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.

(vi) The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.

(vii) Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

Challenge 25

The premises must operate a "Challenge 25" scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters must be displayed in prominent positions inside the premise to inform customers of this condition.

Incident Book

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities and must be used to record the following:

- i. Any incident of violence or disorder on or immediately outside the premises.
- ii. Any incident involving controlled drugs (supply / possession / influence) on the premises.
- iii. Any other crime or criminal activity on the premises.
- iv. Any refusal to serve alcohol to persons who are drunk (on sale and off sale premises only).
- v. Any refusal to serve alcohol to under 18s.
- vi. Any call for police assistance to the premises.
- vii. Any ejection from the premises.
- viii. Any first aid / other care given to a customer.

External Unamplified Music

Unamplified music permitted outside until 21:00hrs.

Perimeter Inspections

The Designated Premises Supervisor must ensure that perimeter inspections are undertaken every hour when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is taking place. These inspections must take place on Stamford Street and Bakewell Lane and are to be recorded in a book, which must be made available for inspection to Local Authority Officers and Greater Manchester Police on request.

Entertainment to be Inaudible

Noise generated by regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) must be inaudible at the nearest noise sensitive location.

Doors & Windows

To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is being performed at the premise, except to allow people to enter or exit.

Door Staff

If the premise remains open past 00:00hrs, then a minimum of 2 SIA licensed door supervisors must be in place from 9pm until 30 minutes past the last sale of alcohol.

When SIA licensed door supervisors are on duty 'clickers' or other recognised counting devices shall be used. An accurate log of patron numbers shall be maintained by door supervisors. Maximum capacity of the premises is 170 persons

All SIA licensed door supervisors shall be provided with a radio which allows communication between all members of the door supervisor team and the bar supervisor and /or DPS.

All security staff to wear body cameras with facial recognition capability.
The Body cameras should record footage for the duration of the opening hours of the premises and be downloaded and/or stored and made available to any responsible authority for a minimum of 28 days.

The cameras will have the facility to record conversations.

Cameras will have a serial number and will be allocated to an individual member of staff for the duration the opening hours of the premises.

The cameras will be booked in and out to a member of staff in a register on a daily basis which will be available for inspection by any responsible authority

A monthly meeting will take place with all members of staff and security relating to all the training that is mentioned in the conditions on the licence. A register of this training will be kept on the premises and available to all responsible authorities at any time, documenting names dates times and the signature of the staff receiving the training.

Door Staff Log

A Door Supervisor Log shall be correctly maintained at the premises. This will include the following details:

- (i) The door staff names, dates of birth and home addresses;
- (ii) Full details, name, address and contact number of employment agency used

And for each individual period of trading:

- (iii) The name of the individual member of door staff
- (iv) His/Her Security Industry Authority licence number
- (v) The time and date He/She starts and finishes duty
- (vi) The time of any breaks taken whilst on duty
- (vii) Each entry shall be signed by the door supervisor, Designated Premises Supervisor or nominated person

Policies and procedures for door staff shall be in place around dispersal techniques for customers and procedures for dealing with incidents that occur in or around the vicinity of the premises. These shall be provided to the police and authorised officers of Tameside MBC upon request.

Patrons under 18 years old

Patrons under 18 will only be granted entry if accompanied by a responsible adult.

Adults must be responsible for children at all times.

Children will not be allowed at any bar area.

Involvement

The former Premises Licence Holder, Victor Bowers and former Designated Premises Supervisor, Kathleen O'Neill, shall not be permitted to enter or remain on the licensed premises at any time. Nor shall they be employed by, or act on behalf of the Premises or the Premises Licence Holder in any capacity whatsoever whether directly or indirectly or provide any services for the Premises (directly or indirectly and whether for reward or otherwise).

Notice to Customers

Notices requesting customers to leave quietly must be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor must ensure that customers are encouraged to keep noise to a minimum when leaving the premises so as not to cause a nuisance to local residents. Furthermore, In order to minimize the risk of public nuisance the management of the premises must monitor customers smoking outside the premises and ensure patrons do not cause a public nuisance.

Beer Garden

The beer garden area must only be used as a smoking area from 21:00hrs. All drinks to remain inside the premises from this time onwards.

Front Curtilage

No glassware or alcohol to be taken beyond the front entrance of the premises at any time.
No smoking to take place at the front entrance of the premises at any time.

Licensable Activity Timings

Supply of Alcohol permitted from 12:00hrs-00:00hrs
Late Night Refreshment permitted from 12:00hrs-00:00hrs
Recorded Music permitted from 12:00-00hrs
Live Music permitted from 12:00hrs-23:30hrs

There will be no sales of alcohol for consumption off the premises at any time.

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SPEAKERS PANEL (LIQUOR LICENSING)

11 August 2021

Commenced: 10.00am

Terminated: 12.45pm

Present: Councillors Lewis (Chair), Bowden and Quinn

In Attendance:	Mike Robinson	Regulatory Services Manager, TMBC
	Ms Birch	Regulatory Compliance Officer, TMBC
	Rifat Iqbal	Legal Representative, TMBC
	PC Thorley	Greater Manchester Police
	Mr Robinson	Director, Frederic-Robinson Ltd
	Mr Massey	Area Manager, Frederic-Robinson Ltd
	Ms McKenna	Business Development Manager, Ignition Pub Limited
	Ms Faud	Solicitor, Napthens Solicitors

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. APPLICATION FOR A REVIEW OF A PREMISES LICENCE – PL0397 – SNIPE INN, 387 MANCHESTER ROAD, AUDENSHAW, M34 5RP

A Certificate pursuant to s53A(1)(b) was submitted to the Licensing Authority signed by Superintendent Rachael Harrison and dated 6 July 2021.

The Police submitted evidence of a serious crime having been committed at the premises on the same date, 6 July 2021.

On 7 July 2021 the Speakers Panel (Liquor Licensing) held a hearing to consider taking interim steps pending a full review of the licence. The hearing was attended by and the Panel heard submissions on behalf of the Licensing Authority, Greater Manchester Police and the Premises Licence Holder.

The decision of the Panel was to suspend the licence pending the full review. A copy of the decision notice can be found at **Appendix 5** of the report.

On the 11 August 2021 a Speakers Panel (Liquor Licensing) of Tameside Metropolitan Borough Council considered a full review of the premises licence under Section 53C of the Licensing Act 2003.

The Licensing Act 2003 (hearings) Regulations 2003 and the Guidance issued pursuant to s182 of the Licensing Act 2003 set out the procedure for the hearing.

Mr Mike Robinson, Regulatory Services Manager, presented the report to the Panel.

Mr Robinson informed the Panel that since the Interim Steps hearing the Licensing Authority and Greater Manchester Police have had discussions with the premises licence holder (and their representative). A number of conditions had been agreed from these discussions:

1. The premises licence hours for the sale of alcohol will be reduced to 11.00-00.00 Friday and Saturday.
2. The opening hours will be Monday to Saturday 11.00-00.30 and Sunday 12.00-00.30
3. The current nonstandard timings are to remain as they are and the following condition added to the premises licence:

Prior to any occasion on which the premises utilise the non-standard timings, a risk assessment will be carried out to determine how many door supervisors are required. An appropriate number of door supervisors will be utilised in accordance with said risk assessment. As a minimum two door supervisors will be utilised any time the non-standard timings are utilised from 21.00 until the last customer has left the premises and the vicinity.

4. In relation to sporting events, the following condition to be added to the premises licence:

Prior to any occasion on which the premises show any televised sporting event, a risk assessment will be carried out to determine if door supervisors are required. As a minimum two door supervisors will be utilised for any football matches involving either Manchester City FC or Manchester United FC from 30 minutes before the scheduled kick off time until one hour after the match concludes.

5. The following condition to be added to the premises licence:

Mr James Fox, Mr Geoffrey Lee and Ms Sarah Harwood are not permitted on the premises whilst licensable activities are taking place.

PC Thorley then presented the case for Greater Manchester Police.

Full details of the serious crime committed at the premises on 6 July 2021 were contained within the Decision Notice dated 7 July 2021 at **Appendix 5** of the report.

PC Thorley stated he had serious concerns regarding crime and disorder at the premises and believed Frederic-Robinson Ltd were unaware of what was taking place at the premises. The clientele over time were not good for the premises resulting in various incidents taking place.

PC Thorley stated it was imperative the premises remained free from serious incidents going forward.

PC Thorley provided an update on the constructive communications had with the parties.

The Panel considered a request to exclude the public/press whilst the Police presented the CCTV evidence of the incident on 6 July 2021 and CCTV footage in relation to other incidents of disturbances at the premises and in the car park on 29 May 2021 and 12 June 2021 which would inform the Panel the basis on which the agreed conditions had been agreed upon.

The Panel heard representations from Ms Faud for the licence holder objecting to PC Thorley's request to show additional CCTV footage that had not been mentioned prior to today's hearing and in any communications that PC Thorley had been having with the Licence holder's representatives since the last hearing. In accordance with Regulation 18 of the Hearing regulations Ms Faud confirmed no consent on behalf of the licence holder to the additional footage being shown and further stated as a result of the discussions held between the parties a list of conditions agreed prior to today's hearing.

The Panel retired to consider the application and upon their return refused the request made by PC Thorley. The Panel had previously viewed the CCTV evidence of the incident on 6 July at the

interim steps hearing held on 7 July 2021. The additional footage requested to be shown by PC Thorley was refused having regard for the representations made by Ms Faud and determined the limited information shared in relation to the additional CCTV evidence would not form part of the Panel's deliberations today other than that contained in the report and its appendices in accordance with regulation 19 of the Hearing regulations.

Ms Birch, Regulatory Compliance Officer, referred to the representation made on behalf of the Licensing Authority at the interim step hearing on 7 July 2021 and the positive constructive discussions that had taken place with all parties since then with a list of agreed conditions reached.

Ms Faud on behalf of the Licence Holder, provided a summary outline on the Expedited Review and interim step voluntarily proposed to remove the designated premises supervisor at the time. Since then Frederic-Robinsons Ltd had taken a number of steps to prepare the premises in order to re-open and have proposed steps that would seek to eradicate the issues previously encountered as a result of the wrong clientele frequenting the premises.

Ms Faud stated Joanna McKenna had been brought in who is an effective manager and had been working with Frederic-Robinsons Ltd in the past and had a close working relationship with the Licence holder and Mr Massey.

Ms Faud further stated meetings and discussions had taken place with PC Thorley who was happy with the conditions that had been proposed and agreed. A designated premises supervisor (DPS) had not as yet been identified and were in the process of finding the appropriate person, at which time discussions would take place with the Police before an application for the DPS being formally submitted.

Ms Faud then referred to Ms McKenna to provide further information on the steps taken and being taken by Frederic-Robinsons Ltd.

Ms McKenna addressed the Panel and stated the focus on recruitment had been to find the appropriate person for the role of the DPS and were looking ideally for a couple with one person to stay at the front of the house and one for the kitchen to enable hot food to be served. The aim was to shift the focus to a Premium premises inviting for families, with drinks being offered of a more premium offering with a shift to a more community pub. Ms McKenna stated the recruitment was now at stage 2 with those shortlisted to physically work in another pub.

Ms Faud then proceeded to talk through the conditions agreed and what was sought to be achieved by these conditions. By reducing the hours of sale of alcohol and drinking time this would remove the requirement for door staff and bring in a change to the clientele visiting the premises. Door staff would be in place where non-standard timings were to operate and for sporting events. Frederic-Robinsons Ltd were happy and have agreed to have named individuals on the agreed conditions who were excluded from the premises when licensable activities were taking place.

Ms Faud further stated voluntary steps had been taken to improve the CCTV system and addressing any previous blind spots. Automatic number plate recognition had been installed and would be live.

Ms Faud stated PC Thorley had discussed concerns about certain individuals being on the premises and to address this, the Licence holder would become an active member of Pubwatch to ensure those individuals were kept out of the premises.

Ms Faud stated the previous tenant had been removed from the premises as a result of the incidents that have taken place and whilst Frederic-Robinson were of the view door staff were not required they had offered to put door staff on in the first fortnight of the premises re-opening and to meet with PC Thorley thereafter to discuss the progress.

Ms Faud submitted that the issues arose as a result of the tenant at the premises who had now been removed. The focus now being to attract the right clientele to the premises and past behaviours not being tolerated.

Mr Robinson asked Ms Faud how long Ms McKenna would be involved in the premises and whether Ms McKenna would become the DPS. Ms Faud replied, Ms McKenna would stay involved with the premises for as long as necessary until the premises is ready and would not be the DPS. Ms McKenna was recruiting for the DPS to ensure the right person was appointed and working closely with Mr Massey to ensure this, to have the premises turned around.

Final submissions were then made by all parties as follows:

- Mr Robinson requested for the Panel to consider the contents of the report and submissions that had been made throughout the hearing and to take such steps as felt appropriate in accordance with the Licensing Act.
- PC Thorley stated it was disappointing given the number of incidents that have undermined the licensing objectives and hoped Frederic-Robinsons Ltd would be true to their word. PC Thorley stated the Police would continue to work with licensed premises across the Borough to remain safe and as such support would be given to Frederic-Robinsons Ltd.
- Ms Birch stated in her submissions the conditions agreed were a step in the right direction to promote the licensing objectives.
- Ms Faud stated on behalf of her clients, Frederic-Robinsons Ltd had acted immediately upon learning of the incident on 6 July 2021. Steps have been taken to turn the premises around and the operating style that would be adopted going forward with a new management company in place. Ms Faud stated the agreed conditions were an appropriate way to deal with the review of the premises licence together with door supervisors for the first two weekends of opening.

Members of the Panel then retired to carefully consider the written submissions, representations and questions and answers during the hearing in addition to all the information provided. The Panel were accompanied by the Legal Representative and the Principal Democratic Services Officer who provided legal and procedural advice only and took no part in the decision making process.

In determining this matter, the Panel took into account all oral and written evidence, and also considered the Council's Statement of Licensing Policy, the relevant sections of the Licensing Act 2003 and Regulations made thereunder, the Guidance issued by the Secretary of State under section 182 of that Act (including the specific Guidance issued in relation to s53A), and the licensing objectives.

The Panel welcomed the discussions that had taken place between the Licence Holder, Greater Manchester Police and the Licensing Authority and noted that a number of agreed conditions had resulted from these discussions.

The Panel noted that, having regard to the statutory guidance, any conditions must be appropriate and proportionate.

The Panel considered all available options and was satisfied that additional conditions would be sufficient to promote the licensing objectives in this matter. The conditions to be attached to the premises licence shall be the agreed conditions reached between the parties.

The Panel was of the view that having regard to the circumstances and the issues encountered with the previous management of the premises, the removal of the DPS and steps taken by the licence holder was a proportionate response to the incidents on and prior to 6 July 2021.

The additional conditions agreed would be added to Annex 3 of the premises licence.

Whilst not a specific condition, closer monitoring of the premises was a common thread through the conditions imposed – the Panel expected that there would be much closer monitoring and liaison between the licence holder and authorities in the appointment of the DPS and management of the premises going forward.

Interim steps

Following the review under s53C, the licensing authority had, pursuant to s53D, reviewed the interim steps in place and had considered whether it was appropriate for the promotion of the licensing objectives for the steps to remain in place, or if it should be modified or withdrawn. Having regard to the promotion of the licensing objectives the Panel considered that the interim steps should be modified. The interim steps shall be replaced by the conditions identified above which shall remain in force until the period for appeal has elapsed or the outcome of any appeal, whichever is the later.

The Panel thanked those attending the hearing for their contribution and assisting the Panel in reaching its decision.

RESOLVED

- (i) That the agreed additional conditions (as detailed above) be added to Annex 3 of the premises licence;**
- (ii) That the interim step in place (i.e. suspension of the licence), be replaced by the conditions identified, which shall remain in force until the period for appeal has elapsed or the outcome of any appeal, whichever is the later; and**
- (iii) That there be close monitoring and liaison between the licence holder and authorities in the appointment of the DPS and management of the premises going forward.**

CHAIR

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Agenda Item 4

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	22 November 2021
Reporting Officer:	Emma Varnam – Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – PREMIER - HURST CROSS CONVENIENCE STORE, 187-193 KINGS ROAD, ASHTON-UNDER-LYNE, OL6 5HD
Report Summary:	Members are requested to determine the application
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none">(a) to grant the licence subject to –<ul style="list-style-type: none">(i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and(ii) current mandatory conditions;(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;(c) to refuse to specify a person in the licence as the premises supervisor;(d) to reject the application.
Corporate Plan:	Living Well – Improve satisfaction with local community
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications: (Authorised by the Borough Solicitor)	Any decision to revoke/suspend a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.
Risk Management:	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety.
Access to Information:	The author of the report is Mike Robinson, Regulatory Services Manager (Licensing)

Background Information: The background papers relating to this report can be inspected by contacting Mike Robinson



Telephone: 0161 342 4122



e-mail: mike.robinson@tameside.gov.uk

1. INTRODUCTION

- 1.1 Section 51(1) of the Licensing Act 2003 outlines the procedure whereby a responsible authority may apply to the Licensing Authority for a review of a premises licence.
- 1.2 Section 52(3) of the Licensing Act 2003 states that the Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- 1.3 The steps mentioned in subsection (4) are:
 - (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding 3 months;
 - (e) to revoke the licence.

2 REPORT

- 2.1 Premier - Hurst Cross Convenience Store, 187-193 Kings Road, Ashton-under-Lyne, OL6 is an off licence. A copy of the premises licence, is attached at **Appendix 1**
- 2.2 A site plan, including an up to date photograph of the premises is attached at **Appendix 2**.
- 2.3 On 14 October 2021, Gemma Lee, Regulatory Compliance Officer, acting on behalf the Licensing Authority in the capacity of a Responsible Authority, submitted an application to review the premises licence in respect of the above premises. A copy of the review application is attached at **Appendix 3**.
- 2.4 The review application was submitted following the previous premises licence holder, Mr Mohammed Ayoob making a complaint has complained to the Council and Greater Manchester Police that he did not consent to the transfer of the premises licence to Mr Tasadaq Ahmad and maintains that the consent form was fraudulently signed.
- 2.5 On 25 May 2021 an incident took place at the premises requiring the attendance of the Police. The incident involved the parties who are in dispute regarding the transfer of the licence. Therefore, the Licensing Authority have concerns that the Prevention of Crime and Disorder Licensing Objective is not being promoted.
- 2.6 On 19 March 2021, the Licensing Authority received an application to transfer the premises licence from Mr Adil Khurshid to Mr Mohammed Ayoob. **Appendix 4**.
- 2.7 On 16 April 2021, an email was received by the Licensing Department, from Mr Ayoob, stating that he had not received a copy of his licence following the transfer application and raised concerns that the licence may be subject to a transfer without the consent of Mr Ayoob. **Appendix 5**.
- 2.8 On 28 April 2021, the Licensing Authority received an application to transfer the premises licence from Mr Ayoob to Mr Tasadaq Ahmad. This application was submitted by a Licensing Consultant, Tony Dales. This document is signed by Mr Ayoob. However, Mr Dales has confirmed that he never met Mr Ayoob and did not verify his identity. It is clear from the signature on the consent page of the transfer that this is different to the signature previously provided by Mr Ayoob – it appears that this application was fraudulently signed. **Appendix 6**.

- 2.9 Mr Ayoob disputes that he signed the form and maintains that he did not consent to the transfer of the licence to Mr Tasadaq Ahmad.
- 2.10 Both Mr Dales and Mr Tasadaq Ahmad have confirmed that they had not seen Mr Ayoob sign the consent form and alleged they had been dealing with the former licence holder, Mr Khurshid.
- 2.11 On Wednesday 3 November 2021, Gemma Lee, Regulatory Compliance Officer visited the premises and conducted a full compliance check. It was apparent that the premises were operating in accordance with the premises licence. They also provided a due diligence folder provided by Tony Dales.

3 REPRESENTATIONS & EVIDENCE SUBMITTED

- 3.1 A representation has been received from Gemma Lee, Regulatory Compliance Officer on behalf of the Licensing Authority. This is attached at **Appendix 7**.
- 3.2 A representation has been received from Mr Tony Dales, Licensing Consultant, Due Diligence Matters. This is attached at **Appendix 8**.
- 3.3 A representation has been received from Police Constable, Martin Thorley of the Greater Manchester Police. This is attached at **Appendix 9**.
- 3.4 A representation has been received from the Premises Licence Holder and Designated Premises Supervisor Mr Tasadaq Ahmad. This is attached at **Appendix 10**.
- 3.5 A representation has been received from Mrs Tahira Khan, owner of the premises. This is attached at **Appendix 11**.
- 3.6 A representation has been received from Mr Adil Khurshid, a previous holder of the premises licence. This is attached at **Appendix 12**.
- 3.7 A representation has been received from Mr Mohammed Mushtaq, an associate of Mr Mohammed Ayoob. This is attached at **Appendix 13**.
- 3.8 A representation has been received from Mr Mohammed Ayoob, the previous premises licence holder. This is attached at **Appendix 14**.

4 HOME OFFICE GUIDANCE

- 4.1 In determining this application the Panel must have regard to the Council's Statement of Licensing Policy and the statutory guidance issued pursuant to s182 of the Licensing Act 2003. The statutory guidance includes the following:

4.2 Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority'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.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination

Reviews arising in connection with crime

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

5 CONCLUSION AND OPTIONS FOR THE PANEL

- 5.1 The Panel is requested to consider the content of this report and appendices and any oral evidence/submissions put forward at the hearing and to determine this review and to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are set out at the front of the report.

6. RECOMMENDATIONS

- 6.1 As set out at the front of the report.

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Premises Licence

Licensing Act 2003

PL0231

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

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

PREMISES Premier - Hurst Cross Convenience Store **TELEPHONE:** [REDACTED]

ADDRESS 187 - 193 Kings Road, Ashton-Under-Lyne, Tameside, OL6 8HD

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

J - Sale by retail of alcohol;

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

Activity (and Area if applicable)	Description	Times
J - Sale by retail of alcohol	Sunday	10:00 - 22:30
	Monday - Saturday	08:00 - 23:00
	Christmas Day	12:00 - 15:00
	Christmas Day	19:00 - 22:30
	Good Friday	08:00 - 22:30

THE OPENING HOURS OF THE PREMISES:

Description	Times
Sunday	10:00 22:30
Monday-Saturday	08:00 23:00

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption **OFF** the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Tasadaq Mehmood Ahmad
[REDACTED]

Tel: [REDACTED]
Email:

Registered number of holder, for example company number, charity number (where applicable)

Business Reg No:

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr Tasadaq Mohammed Ahmad
[REDACTED]

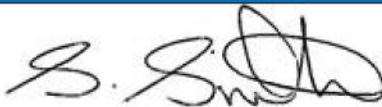
Tel: [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the premises authorises for the supply of alcohol):

Licence Number: **PA211544**

Licensing Authority Issued by: **Tameside**

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

ANNEXES

Annex 1 – Mandatory conditions

Off Licence Premises

All supplies of alcohol

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Age verification policy

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

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

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

a) a holographic mark, or

b) an ultraviolet feature.

Minimum Cost of Alcohol

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

For the purposes of the condition

a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

b) "permitted price" is the price found by applying the formula-
 $P = D + (D \times V)$

Where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

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

Where the permitted price given by the calculation is not a whole number of pennies, the price given by that calculation shall be taken to be the price rounded up to the nearest penny.

Annex 2 – Conditions consistent with the Operating Schedule

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours mean:

- On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- On Good Friday, 8 a.m. to 10.30 p.m.

- a) General - all four licensing objectives
None provided with the application
- b) The prevention of crime and disorder
None provided with the application
- c) Public safety
None provided with the application.
- d) The prevention of public nuisance
None provided with the application.
- e) The protection of children from harm
None provided with the application.

Annex 3 – Conditions attached after a hearing by the licensing authority

ANNEX 4 – AUTHORISED PLANS

As attached

Premises Licence Summary

Licensing Act 2003

PL0231

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

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

PREMISES	Premier - Hurst Cross Convenience Store	TELEPHONE: [REDACTED]
ADDRESS	187 - 193 Kings Road, Ashton-Under-Lyne, Tameside, OL6 8HD	

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

J - Sale by retail of alcohol;

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

Activity (and Area if applicable)	Description	Times
J - Sale by retail of alcohol	Sunday	10:00 - 22:30
	Monday - Saturday	08:00 - 23:00
	Christmas Day	12:00 - 15:00
	Christmas Day	19:00 - 22:30
	Good Friday	08:00 - 22:30

THE OPENING HOURS OF THE PREMISES:

Description	Times
Sunday	10:00 22:30
Monday-Saturday	08:00 23:00

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption **OFF** the Premises

Premises Licence Summary

Licensing Act 2003

PL0231

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Tasadaq Mehmood Ahmad

Tel: [REDACTED]

Email: [REDACTED]

Registered number of holder, for example company number, charity number (where applicable):

Business Reg No:

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr Tasadaq Mohammed Ahmad

Tel: [REDACTED]

State whether access to the premises by children is restricted or prohibited:

Access to the premises by children is restricted

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY

A handwritten signature in black ink, appearing to read 'S. Smith', written over a horizontal line.

Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

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This plan is produced from the Council's computer based geographical information system to supplement the list, under section 36(6) of the Highways Act 1980, of streets within the Council's area that are highways maintainable at public expense. It is not definitive as to the status, width or route of the streets shown. Tameside MBC does not accept responsibility for any error or inaccuracy in the plan or from any reliance placed on it.



Application for the review of a premises licence or club premises certificate 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, Gemma Lee, Regulatory Compliance Officer (Tameside Licensing Department)
 (Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Premier - Hurst Cross Convenience Store, 187-193 Kings Road,	
Post town Ashton-Under-Lyne,	Post code (if known) OL6 8HD

Name of premises licence holder or club holding club premises certificate (if known)
Tasadaq Ahmad

Number of premises licence or club premises certificate (if known)
PL0231

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Tameside Licensing Department (acting in its role as a Responsible Authority under the Licensing Act 2003)

Gemma Lee
Licensing Office
Tame Street Depot
Tame Street
Stalybridge
SK15 1ST

Telephone number (if any)
0161 342 4262

E-mail address (optional)
gemma.lee@tameside.gov.uk

This application to review relates to the following licensing objective(s)

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

Please tick one or more boxes ✓
X

Please state the ground(s) for review (please read guidance note 2)

The activity surrounding this premises has undermined the licensing objectives, namely;

The Prevention of Crime and Disorder;

Mr Adil Khurshid was the premises licence holder and designated premises supervisor, at Premier - Hurst Cross Convenience Store 187-193 Kings Road Ashton-Under-Lyne, since 2016.

On 19 March 2021, the licensing department received an application to transfer the premises licence from Mr Khurshid to Mohammed Ayoob.

On 16 April 2021, an email was received by the licensing department, from Mr Ayoob, stating that he had not received a copy of his licence following the transfer application and raised concerns that the licence may be subject to a transfer without the consent of Mr Ayoob.

On 28 April 2021, the licensing department received an application to transfer the premises licence from Mr Ayoob to Tasadaq Ahmad. This application was submitted by a licensing agent, Tony Dales. This document is signed by Mr Ayoob. However, Mr Dales has confirmed that he never met Mr Ayoob and did not verify his identity. It is clear from the signature on the consent page of the transfer that this is different to the signature previously provided by Mr Ayoob – it appears that this application was fraudulently signed.

Mr Ayoob disputes that he signed the form and maintains that he did not consent to the transfer of the licence to Mr Tasadaq Ahmad.

Both Mr Dales and Mr Ahmad confirmed that they had not seen Mr Ayoob sign the consent form and alleged they had been dealing with the former licence holder, Mr Khurshid.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

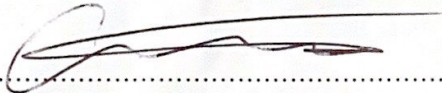
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

14.10.21

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Application to transfer 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 MOHAMMAD AYOUB

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL0231

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description

187-193 KINGS ROAD

Post town ASHTON UNFER LYNE

Post code OL6 8HD

Telephone number at premises (if any)

Please give a brief description of the premises (see note 1)

Name of current premises licence holder
ADIL KHURSHID

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

please complete section (A)

a) an individual or individuals*

b) a person other than an individual *

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) an individual 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 respect of 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

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

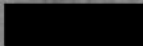
AYOOB

First names

MOHAMMAD

Please tick yes

Date of birth



Nationality

BRITISH

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

I HAVE ENCLOSED THE PREMISES LICENCE

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today
- Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships I have included documents, or my Home Office online right to work checking service share code, to demonstrate my entitlement to work in the United Kingdom (please read note 2)

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND, PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

Part 4 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date

17-03-2024

Capacity

OWNER

For joint applicants signature of second applicant, second applicant's solicitor or other authorised agent (please read guidance note 5). 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 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to email your e-mail address (optional)

Consent of premises licence holder to transfer

I/We **ADIL KHURSHID**

[full name of premises licence holder(s)]

the premises licence holder of premises licence number

PL0231

[insert premises licence number]

relating to

COSTCUTTER 187-193 KINGS ROAD ASHTON UNDER LYNE OL6 8HD

[Name and address of premises to which the application relates]

herby give my consent for the transfer of premises licence number

PL0231

[insert premises licence number]

to

MOHAMMAD AYOUB

[full name of transferee]

signed

name

(please print)

dated

Adil KHURSHID

17/03/2021

This page is intentionally left blank

From: [REDACTED]
Sent: 23 May 2021 17:07
To: Licensing <licensing@tameside.gov.uk>
Subject: Re: PL0231 premises license

Dear Andrea

Hope you're well and keeping safe it's Mohammad ayoob

First of all I would like to thank you and appreciate your help and support

Further to our conversation the other day in which I have raised my concerns over the transfer of premises license PL0231

I can confirm that I have not appointed any agents to act on my behalf nor that I had given permission or gave my ID or signed any consent forms

As you was fully made aware of such situations earlier in my email in which I have stated my concerns that I had not received the premises license posted to me at shop address and that I'm gravely concerned that someone will try to transfer it without my consent and requested you to change my postal address to my home address which was changed and received the Amended license via email

You also confirmed that a note has been put on my file that if anyone looks at the case it will flag up and you stated that it didn't flag at the time of considering transfer application which is of course shocking and needs internal investigations I guess

In the light of the above I would like to request that the new license is to be revoked as it has been obtained by false representations and use of documents without my permission or consent

Also request that the premises license to remain on my name

A complaint to action fraud has been made under crime ref: NFRC210504519009

Please don not hesitate if you need any further assistance

look forward hearing from you at your earliest

Regards

Mohammad ayooob

[Sent from Yahoo Mail for iPhone](#)

On Monday, April 19, 2021, 10:38 am, Licensing <licensing@tameside.gov.uk> wrote:

Good morning,

Please find attached licence as requested.

I have made a note of your request and this will pop up if anyone looks at your case

Thanks

Andrea Winterbottom

Regulatory Services Officer

Environmental Services (Public Protection)

Operations and Neighbourhoods

Operations and Neighbourhoods

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 2452

Mobile. 07783656232

This email was sent at a time & date convenient to the sender; please do not feel under any pressure to respond immediately if this is outside your normal working hours.

<http://www.tameside.gov.uk/disclaimer>



From [REDACTED]

Sent: 16 April 2021 16:16

To: Licensing <licensing@tameside.gov.uk>

Subject: Re: PL0231 premises license

Dear

Further to our conversation today in which I have confirmed that I have not received the Premises license posted to on 6th April .

Can you please change my correspondence address to my home address which is

Mohammad ayooob

[REDACTED]

[REDACTED]

[REDACTED]

And forward the premises license of 187-193 kings road Ashton under OL6 8HD to the above mentioned correspondence address please

and also as requested on the phone I would like to request to put a note on the file if any future application is made to transfer the premises license I should be notify before the grant of any variations of transfer

The above is a precautionary as I'm in a private business partner agreement

Look forward hearing from you

Regards

Mohammad ayoub

[Sent from Yahoo Mail for iPhone](#)

Received 28/4/21
emailed 28/4/21
Paid £23

ISSUE 12/5/21

Application to transfer 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 **TASADAQ MEHMOOD AHMAD**

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL0231

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description

COSTCUTTERS Premier ~~High~~ higherhurst
187-193 KINGS ROAD, ASHTON UNDER LYNE

Post town

TAMESIDE

Post code

OL68HD

Telephone number at premises (if any)



Please give a brief description of the premises (see note 1)

GROUND FLOOR LICENSED SUPERMARKET

Name of current premises licence holder

MOHAMMAD AYOUB

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

a) an individual or individuals*

please complete section (A)



b) a person other than an individual *

i. as a limited company/limited liability partnership

please complete section (B)

ii. as a partnership (other than limited liability)

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) an individual 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 respect of 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 Mrs Miss Ms Other title
(for example, Rev)

Surname

AHMAD

First names

TASADAQ MEHMOOD

Date of birth

██████████

Nationality

DUTCH PASSPORT

I am 18 years old

Please tick yes

BORN IN: CHAK MUBARIK (PAKISTAN)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Current residential address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

Please tick yes

Date of birth

I am 18 years old or over

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Current residential address if different from premises address

Post town

Post code

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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick yes

If this application is granted I would be in a position to use the premises during the Application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today
- Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents, or my Home Office online right to work checking service share code, to demonstrate my entitlement to work in the United Kingdom (please read note 2)

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I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

Part 4 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature  TONY W DALES

Date 27TH APRIL 2021

Capacity LICENSING CONSULTANT

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 5). 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 6)

TONY WILLIAM DALES
DUE DILIGENCE MATTERS

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.

2. Right to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued on or after 6 April 2017 will lapse if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport apply].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

Consent of premises licence holder to transfer

I **MOHAMMAD AYOOB**

[full name of premises licence holder(s)]

the premises licence holder of premises licence number **PL0231**

[insert premises licence number]

relating to **COSTCUTTERS 187-193 KINGS ROAD, ASHTON UNDER LYNE, TAMESIDE,**

OL68HD

[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

PL0231

[insert premises licence number]

to

TASADAQ MEHMOOD AHMAD

[full name of transferee]

signed
name
(please print)


MOHAMMAD AYOOB

dated

27TH APRIL 2021

TAMESIDE METROPOLITAN BOROUGH COUNCIL**STATEMENT OF WITNESS****(C.J.Act 1967, s.9; M.C.Act 1980, ss5A(3)(a) and 5B; M.C.Rules 1981, r.70)****STATEMENT OF: Gemma Lee****AGE OF WITNESS: Over 18****OCCUPATION OF WITNESS: Regulatory Compliance Officer**

STATEMENT OF: Gemma Lee

Age of Witness (if over 18 enter over 18): Over 18

Occupation of Witness: Regulatory Compliance Officer

1. My name is Gemma Lee. I am employed by Tameside Metropolitan Borough Council as Regulatory Compliance Officer based within the Licensing section. I have been employed in this capacity since December 2011.
2. On 14th October 2021, I submitted an application for a review in respect of PL0231 Premier - Hurst Cross Convenience Store, 187-193 Kings Road, Ashton –Under - Lyne, OL6 5HD. This statement is submitted in support of that application.
3. On 19 March 2021, the Licensing Department received an application to transfer the premises licence from Mr Khurshid to Mohammed Ayoob.
4. On 16 April 2021, an email was received by the Licensing Department, from Mr Ayoob, stating that he had not received a copy of his licence following the transfer application and raised concerns that the licence may be subject to a transfer without the consent of Mr Ayoob.

This statement, consisting of 2 page, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 2nd November 2021

Signed

Continuation of witness statement of: Gemma Lee

Page 2 of 3

(C.J. Act 1967, s.9; M.C. Act 1980, ss5A (3)(a) and 5B; M.C. Rules, 1981, r.70)

5. On 28 April 2021, the licensing department received an application to transfer the premises licence from Mr Ayoob to Tasadaq Ahmad. This application was submitted by a licensing agent, Tony Dales. This document is signed by Mr Ayoob. However, Mr Dales has confirmed that he never met Mr Ayoob and did not verify his identity. It is clear from the signature on the consent page of the transfer that this is different to the signature previously provided by Mr Ayoob – it appears that this application was fraudulently signed.
6. Mr Ayoob disputes that he signed the form and maintains that he did not consent to the transfer of the licence to Mr Tasadaq Ahmad.
7. Both Mr Dales and Mr Ahmad confirmed that they had not seen Mr Ayoob sign the consent form and alleged they had been dealing with the former licence holder, Mr Khurshid.
8. All communication between the Licensing Department and Mr Ayoob in relation to the dispute has been via Mohammed Mushtaq. Enquiries with Tameside Council Business Rate section confirm that Mr Mushtaq is a Director of GHAURI OFF-LICENCE LIMITED, responsible for payment of Business Rates at the premises between 15 February 2020 and 1 July 2021.
9. On 31 August 2021, a meeting was arranged the Licensing Office attended by the following people;
 - Mr Ayoob and his business partner, Mohammed Mushtaq,
 - Mr Tasadaq Ahmad,
 - PC Martin Thorley
 - Thaira Khan (Owner of the building)

This statement, consisting of 3 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 10th November 2021



Signed

Continuation of witness statement of: Gemma Lee

Page 3 of 3

(C.J. Act 1967, s.9; M.C. Act 1980, ss5A (3)(a) and 5B; M.C. Rules, 1981, r.70)

- Tony Dales (Licensing Agent acting on behalf of Mr Ahmad)
- Mike Robinson – Licensing Manager

10. At the meeting, it was clear that there was an ongoing dispute between business partners (Ayoob, Mushtaq and Ahmad). Both Mr Dales and Mr Ahmad confirmed that they had not seen Mr Ayoob sign the consent form and alleged that they had been dealing directly with the former licence holder Mr Khurshid

11. On Wednesday 3rd November 2021, I visited the premises and conducted a full compliance check. It was apparent that the premises were operating in accordance with the premises licence. They also provided a due diligence folder from Baker's Solicitors.

This statement, consisting of 3 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 10th November 2021



Signed

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STATEMENT OF TONY DALES

I am a Licensing Consultant and operate under Due Diligence Matters. I previously worked as a consultant working for Bakers Solicitors, Glossop.

During the past 5 /6 years I have conducted licensing work for a Mr Adil Khurshid, who ran licensed premises in Chester, Dukinfield and Ashton Under Lyne. Prior to a large fire and the outbreak of covid. I conducted work for Costcutters, Kings Street, Ashton under Lyne. The premises since reopening have changed their name to Premier Hurst Cross. During this time Mr Khurshid has always instructed me on all of his licensing issues. No other person has contacted me to undertake work on these premises.

In April 2021 I cannot give the precise date, Mr Khurshid contacted me by phone. He stated that the premises licence for Premier Hurst cross needed to be changed to his new business partner, Mr Tasadaq Ahmed. He also stated that he needed Tasadaq to obtain his personal Licence and to become the DPS at the premises.

I informed him that this was okay and that I would need the last premises licence, details of Tasadaq and Mr Khurshids signature of consent to transfer. Adil informed me that he was no longer the premises licence holder and that a Mr Ayoob name was on the licence. I was surprised to hear this as I have conducted all changes to premises licence but had not been consulted on this change. Adil stated he had changed the name while he was away in Pakistan. Mr Ayoob had since left the premises. I explained to Mr Khurshid that I would need Mr Ayoobs consent and I would send him the consent form. At no stage did Mr Khurshid state that Mr Ayoob would not consent to the transfer. The fee for the transfer was £175.00. Mr Khurshid stated that, Mr Tasadaq would be paying for the transfer.

I completed a consent to transfer form and sent it to Mr Khurshid by email for his attention. I had no indication from Mr Khurshid that there would be any problem with this application.

A short period of time elapsed and I had not received any communication from Mr Khurshid. I attempted to ring him on several occasions but got no reply. I then forwarded to him a reminder text message, that stated I required Ayoobs signature, a copy of the premises licence and Mr Tasadaqs contact details.

I finally received a copy of the premises licence and Mr Tasadaqs details. On 26th April I received a payment of £175.00 from Tasadaq

Around the same time, I received in the post a consent to transfer form signed by Mr Ayoob. I had no reason to believe that this signature was false. It had not been dated I scanned the document and in PDF format dated it 27th April 2021. This document together with application to transfer, a copy of the premises licence and Mr Tasadaqs proof of right to work in the UK, I submitted by email to Licensing @tameside.gov.uk. Payment of £23.00 was made to the council by card payment over the telephone.

I can confirm that the only person I dealt with regarding the transfer was Mr Adil Khurshid. Other than providing his right to work document (passport) Mr Ahmed played no part in the application.

During the next month I dealt with Mr Tasadaq exclusively to progress his personal licence application and the personal licence for a member of his staff , Mrs Gill Price.

I also recall that following a visit from the council, I was required to undertake a small amount of Due Diligence Work for the premises. Once again I dealt with Mr Tasadaq to sort out this issue. I got the impression that Tasadaq had now taken over the running of the premises and during my telephone conversations with him he was keen to ensure that the premises and staff were exercising due diligence and to comply with his premises licence conditions. This was good to hear.

The premises licence was subsequently issued by Tameside MBC in Mr Tasadaqs name. Mr Tasadaq and Mrs Price subsequently obtained their personal licences. Mr Tasadaq also became the designated premises supervisor. I was responsible for completing this work.

With regard to the transfer of the premises licence into Mr Tasadaqs name. I had no idea that there was a problem. I did receive a call from Mr Tasadaq towards the end of May 2021. There had been an incident at the premises where the police were called. Mr Tasadaq stated he had provided the police with my telephone number and if I was contacted would I confirm that he was the premises licence holder. I had no problem with this request, but as it transpired, I received no call from the police.

The next communication I received from Tasadaq was a telephone in late June. He was in the company of Licensing Officer Mr Mike Robinson, who explained that the application to transfer the licence in to Mr Tasadaqs name had hit a problem. Mr Ayoob had complained that he had not consented to the transfer and the signature on the consent form wasn't his.

Mr Tasadaq sounded visibly shocked and upset by the visit. I instructed Tasadaq unless informed to the contrary, to carry on his business and to wait for correspondence from the licensing department. As Adil Khurshid had dealt with this transfer with me, I did make contact with him. I asked what was happening with My Ayoob. He informed me that Mr Ayoob had consented and was trying to make trouble after a fall out. They had now made up and he would be withdrawing his complaint.

I was not happy at all with Mr Khurshids explanation and told him so. I could not understand what was happening and why Mr Ayoobs consent had been sent to me if he had never consented to the application.

If at any time Mr Khurshid had disclosed that Mr Ayoob was not consenting to the transfer then I would still have progressed the application without Mr Ayoobs consent. This is a process that can be used as part of an application. I have used it on several occasions where the outgoing premises licence holder cannot be traced.

In conclusion my application and supportive documents for the transfer of Mr Tasadaqs name onto the premises licence was submitted by me and received by Tameside licensing in good faith and in the belief that Mr Ayoobs signature was genuine. There was nothing to suggest anything to the contrary. It appears that Mr Khurshid was the only person who really knew what was going on. In my opinion Mr Tasadaq knew nothing of this issue. Mr Tasadaq will address the committee.

Since my involvement with Mr Tasadaq in April 2021. He is in charge of the day to day running of Premier Hurst cross, with no involvement from either Mr Ayoob or Mr Khurshid.

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Martin Thorley
Address including postcode	Ashton-Under-Lyne Police Station Manchester Road Ashton-Under-Lyne Tameside OL7 0BQ
Contact Email Address	[REDACTED]
Contact Telephone Number	

About the Premises

Premises Licence No.	PL0231
Name of the Premises	Premier - Hurst Cross Convenience Store
Address of the premises including postcode	187-193 Kings Road AUL OL6 8HD

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the variation on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the request for a premises license to be granted in relation to the above premises.

I am Police Constable 14627 Martin Thorley of the Greater Manchester Police stationed at Ashton-under-Lyne Police Station. I am the District Licensing Officer for Tameside area.

I have delegation of authority on behalf of the Chief Officer of Police for all applications made in respect of the Licencing Act 2003.

The grounds for the objection are:-

- **Prevention of Crime and Disorder**

This premise currently trades as a local licensed convenience store, housing a Post Office Counter. The shop is situated on Kings Road AUL. The nearest Licensed Premises is directly opposite the premises. There is another local licensed convenience store called Best One situated on the same side of the road 80 yards away.

The DPS for Best One is Mohammad Ayoob.

As with other areas in Tameside, the Hurst Cross area suffers from issues with on street drinking and other alcohol related anti-social behavior. Youths under the age of 18 are known to gather outside the frontage of the local shops causing issues for the staff and attempting to encourage proxy sales from shoppers who are over the age of 18. There are no recent recorded incidents of this nature at The Premier Store.

The Premier Store premises is known to Police as it has the following linked to the address:-

Incident No 0394872/21

On 9th May 2021 @ 1858hrs there is a report that asb x 20 there are 20 youths attacking a male who ran into the shop. He has rung some friends to collect him. he is scared and doesn't want to ring

police. Still ongoing. They aren't armed and a few are on bikes.

This incident Links with the following report of crime

Crime No CRI/06GG/0009790/21 - Crime closed 10th May 2021 (NFA)

On 9th May 2021 @ 2133hrs A Common Assault was reported when an Unknown victim is chased by unknown offenders based on threats that he will be assaulted in unknown means. AP hides in a corner shop and offenders make off in unknown direction.

Incident No 0443646/21

On 25th May 2021 @ 1345hrs there is a report that Males with hammers made threats group of black males in car outside had threatened staff at the store - currently outside of the shop at XXXXXXXX bmw 3 series in white. approx 4x males

This incident Links with the following two reports of crime

Crime No CRI/06GG/0010990/21 - Ongoing investigation as of 22nd October 2021

On 25th May 2021 @ 1617hrs an offence of Use threatening / abusive / insulting words / behaviour to cause harassment / alarm / distress is reported following the AP reports that x 3 unknown males have entered the shop coming from white BMW VRM XXXXXX along with a known male with whom the AP has a business dispute with. The known male is alleged to have made shouted at staff and customers to get out of his shop causing AP distress - No weapons seen by staff

Crime No CRI/06GG/0010992/21 - Crime closed 16th August 2021 (no evidence offered)

On 25th May 2021 @ 1617hrs Threats to kill crime is recorded following the Victim receiving a phone call off known offender who has said "I AM GOING TO PUT A BULLET THROUGH YOUR HEAD" victim and offender have ongoing dispute over shop ownership.

It is my belief that the offences above are linked with the continued dispute over ownership and operating agreements. The crimes are evidence of failings in promoting the Licensing Objective of prevention of Crime and Disorder.

I ask that The Licensing Authority put measures in place to ensure that this premises trades safely and the likelihood of further incidents of crime at the premises is minimised.

PC 14627 Martin Thorley

Statement of Tasadaq Mahmood Ahmed

I am currently the premises licence holder and DPS of Premier Hurst Cross, 187-193 Kings Road, Ashton under Lyne. In October 2020 I entered into a business arrangement with Mr Adil Khurshid, whom I believed was the owner of the business and he informed me that his uncle was the property owner. Mr Khurshid was at the time the Premises licence holder and Designated Premises Supervisor for Premier Hurst Cross. I was new to this type of retail and it was agreed that I would learn the trade under the guidance of Mr Khurshid before I took control of the business. At this time I had no reason to doubt Mr Khurshid's credibility and trusted him completely.

Mr Adil Khurshid remained the DPS and Premises license holder on the licence and it was an arrangement that worked well. No other persons were involved in the running of the business. On occasions Mr Khurshid would visit the premises with a man called Mr Ayub and a second person who was called Ash, I now know this man to be Mr Mushtaq, both men were identified as close friends to Adil. They would often go into the premises' back office or just stand around on the shop floor talking. I got to know both men and they seemed okay, at the time to my knowledge, they did not enter the counter area or post office situated in the premises. On some occasions Mr Ayub bought trays of bread, which he said Adil had asked him to do. In general my time in the shop was between 1400 hrs until closing time. Mrs Gill Price is a member of staff who works during the daytime, she opens the shop in the morning and is an experienced member of staff who also possesses a licensing qualification.

In February 2021 my family suffered a bereavement in Pakistan, I was required at short notice to leave the country. I left the business in the hands of Mr Khurshid and no one else. I returned to the country after 3 to 4 weeks. Everything seemed to appear in order on my return and I continued our arrangement.

Shortly after my return, Hassan, our postmaster, alerted me to a document which had been delivered to the premises. It was a new premises licence for Hurst Cross. I was shocked to see that Mr Ayub's name now appeared as premises licence holder. I didn't understand this as Mr Ayub to my knowledge had no involvement with the running of the premises. Immediately I went to Adil's house. Adil denied any knowledge of this and stated that Mr Ayub must have done this by fraud and used Mr Khurshid's signature to consent to this whilst he was away in Pakistan.

I said to Mr Khurshid that if this was the case then it needed changing and I was now taking a lead in running the business and the Premises licence should be transferred into my name. I also said that it was time for me to get my personal licence and have a greater understanding of the regulations for licensing sales. Mr Khurshid said that he always used a licensing consultant called Tony Dales who was a long term family friend.

I insisted there and then Mr Khurshid rang Tony and got the licence sorted. In my presence Adil contacted Tony. I heard Adil say that he required Tony to transfer the Hurst Cross licence into my name and to get my personal licence. The phone was not on loudspeaker so I didn't hear what Tony was saying. Mr Khurshid told Tony that Ayub was a worker at the shop and he had become premises licence holder whilst he was away in Pakistan. He did not say anything about Mr Ayub committing a fraud. Tony must have asked Adil about getting consent from Mr Ayub as Adil said that Mr Ayub would give consent but he was no longer at the shop.

At this time I left this matter with Adil and Tony to resolve. Adil told me that Tony would sort it out and that the fee was £175.00, which I would need to pay. I eventually received an invoice from Tony for £175.00 which I paid.

At this stage I wasn't aware of any issues with Mr Ayub. Tony only contacted me regarding arrangements for me obtaining the personal licence qualification and getting my personal licence. Mr Dales was very helpful and provided me with additional training prior to me attending the course and exam. The fee for his services was £400.00. I received an invoice, which to my knowledge arrived and was paid for after I was informed that I was the new premises licence holder and a premises licence with my name as premises licence holder arrived.

All appeared well until the morning of 25th May 2021 when I received a text from Gill Price that Ash (Mr Mushtaq) and some men were at the premises threatening and demanding the shop fob keys. I contacted Adil and picked him up and immediately travelled to the premises with him. When we arrived Gill Price informed me that the men had left and taken the shop keys with them. I was concerned and worried that having the keys the men would return and gain entry to my shop. I then rang the police. On their arrival I explained the situation and provided proof that I was the premises licence holder. The police left and later contacted me to say they had met with Ash (Mr Mushtaq) and taken possession of the keys. They would contact Tameside licensing and once they established ownership they would return the keys to me. To date I have not received the keys and had to have a new set cut.

I questioned Adil as to why Ash and the others appeared at the shop and what right did they have to take the keys. He had previously told me that he was setting up a warehouse in Liverpool which would supply convenience stores. He told me that he had borrowed £39,000 for the Liverpool set up from Ash and that they wanted their money back. I did not know whether to believe him and was becoming very worried about my position at the shop.

A month later Mike Robinson from the council came to the shop. He informed me that there was a problem with our premises licence as the consent form had not been signed by Mr Ayub and he had complained to the council. This was a complete shock to me, I had left this matter with Adil to sort out with Tony Dales. Adil had told Tony that Ayub would consent to the transfer. I could not understand what was going on. Mr Robinson said he would inform me by letter of the situation and asked me to respond when it arrived. I did not receive any letter. I spoke to Tony Dales on this matter and it was obvious he had received the consent form with what he believed was Mr Ayub's signature. Mr Dales informed me that if Mr Ayub did not consent and if Adil had told him he would still have applied and let the council know that Mr Ayub did not consent, he could not understand why Mr Khurshid gave him the application without Mr Ayub's signature.

Since this time I have broken all contact with Mr Khurshid as I do not trust him. He has lied to me and others on numerous occasions during my time at Hurst cross. I have since found out that Mr Khurshid does not own any part of the business and he himself had no business lease agreement. I am now working with the shop owner Mrs Tahira Khan and have a lease for the business. I have produced the lease for your information.

Since the incidents with Mr Ayub, I have been the only person running the business at Hurst Cross. The licence is in my name and having recently obtained my personal licence I have become the DPS for the premises. With the assistance of Tony Dales, I have received Due Diligence Training in my role as DPS. All my staff have received updated training.

I have also produced evidence as requested proving my financial involvement in the day to day running of the premises. I am trying to run the business in a responsible way and I would ask that the licensing committee bear this in mind when making a decision in regards to the license. I understand now the application submitted to Tony by Adil was not with Mr Ayub's signature however I did not take any part in the submission of this application. I only paid the fee for what I was told was a valid

application. I would therefore like the opportunity to either put the proper application in place or for the committee to allow me to remain Premises licence holder as Mr Ayub does not have any involvement in the business. I have a considerable number of costs in running this business from bills to staff wages and the removal or suspension of the alcohol license will have a considerable impact on sales and my ability to run the business successfully. I understand the committee needs to investigate what has happened but I feel I should not have to suffer for Mr Khurshid's actions. I feel I am also a victim and this has caused me a considerable amount of stress. I just wish to run the business as a responsible owner.

Signed



Tasadaq Mehmood Ahmed

Dated 29th October 2021

PARKWAY 2, SUITE 21,
PARKWAY BUSINESS CENTRE,
PRINCESS ROAD, MANCHESTER,
M14 7LU

Hazelhurst Solicitors

TEL: 0161 669 5079
FAX: 0161 332 6266

WWW.HAZELHURSTSOLICITORS.CO.UK

22 July 2021

Our Ref: 01514/QA

Dear Sirs,

RE: Mr. Tasdaq Mehmood Ahmad- Lease Matter

We write further to the above matter. We confirm that the lease for the above property was completed today. Our client attended our office to collect the original lease signed by the Landlord for his use and record.

We trust you would not hesitate to contact us if you require further assistance.

Yours faithfully



Hazelhurst Solicitors.

INFO@HAZELHURSTSOLICITORS.CO.UK

Please quote our reference in ALL correspondence and telephone calls

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Director: Quddus Ashu. (AUTHORISED AND REGULATED BY THE SOLICITORS REGULATION

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(b) install and construct Service Media at the Property to serve any part of the Building (whether or not such Service Media also serve the Property); and

(c) re-route any Service Media mentioned in this clause 4.1.2;

4.1.3 at any time during the term, the full and free right to develop any part of the Building (other than the Property or any part of the Building over which rights are expressly granted by this Lease) and the Landlord's Neighbouring Property and any neighbouring or adjoining property in which the Landlord acquires an interest during the term as the Landlord may think fit;

4.1.4 the right to erect scaffolding at the Property or the Building and attach it to any part of the Property or the Building in connection with any of the Reservations;

4.1.5 the right to attach any structure, fixture or fitting to the boundary of the Property in connection with any of the Reservations; and

4.1.6 the right to re-route and replace any Service Media over which the Rights mentioned in clause 3.1.2 are exercised.

notwithstanding that the exercise of any of the Reservations or the works carried out pursuant to them result in a reduction in the flow of light or air to the Property or loss of amenity for the Property provided that they do not materially adversely affect the use and enjoyment of the Property for the Permitted Use.

4.2 The Landlord reserves the right to enter the Property:

4.2.1 to repair, maintain, install, construct, re-route or replace any Service Media or structure relating to any of the Reservations;

4.2.2 to carry out any works to any other part of the Building; and

4.2.3 for any other purpose mentioned in or connected with:

(a) this Lease;

(b) the Reservations; and

(c) the Landlord's interest in the Property, the Building or the Landlord's Neighbouring Property.

4.3 The Reservations may be exercised by the Landlord and by anyone else who is or becomes

when that consent has been granted and in accordance with the terms of that consent.

3.8 In relation to the Right mentioned in clause 3.1.4, the Tenant shall:

3.8.1 except in case of emergency, give reasonable notice to the Landlord and the occupier of that part of the Building of its intention to exercise that Right;

3.8.2 where reasonably required by the Landlord or the occupier of the relevant part of the Building, exercise that Right only if accompanied by a representative of the Landlord and/or the tenant and/or the occupier of the relevant part of the Building;

3.8.3 cause as little damage as possible to the Building and to any property belonging to or used by the Landlord or the tenants or occupiers of the other part of the Building;

3.8.4 cause as little inconvenience as possible to the Landlord and the tenants and occupiers of the relevant part of the Building as is reasonably practicable; and

3.8.5 promptly make good (to the satisfaction of the Landlord) any damage caused to the Building (or to any property belonging to or used by the Landlord) by reason of the Tenant exercising that Right.

3.9 Except as mentioned in this clause 3, neither the grant of this Lease nor anything in it confers any right over any other part of the Building or any neighbouring property nor is to be taken to show that the Tenant may have any right over any such part of the Building or any neighbouring property, and section 62 of the Law of Property Act 1925 does not apply to this Lease.

4 Rights excepted and reserved

4.1 The following rights are excepted and reserved from this Lease to the Landlord for the benefit of the Building and the Landlord's Neighbouring Property and to the extent possible for the benefit of any neighbouring or adjoining property in which the Landlord acquires an interest during the term:

4.1.1 rights of light, air, support and protection to the extent those rights are capable of being enjoyed at any time during the term;

4.1.2 the right to:

(a) use and connect into Service Media at, but not forming part of, the Property which are in existence at the date of this Lease or which are installed or constructed during the Contractual Term;

2.3.4 all other sums due under this Lease.

3 Ancillary rights

3.1 The Landlord grants the Tenant the following rights (the Rights):

3.1.1 the right of support and protection from those parts of the Building that afford support and protection for the Property at the date of this Lease and to the extent that such support and protection exists at the date of this Lease;

3.1.2 the right to use and to connect into any Service Media at the Building that belong to the Landlord and serve (but do not form part of) the Property which are in existence at the date of this Lease or are installed or constructed during the Contractual Term;

3.1.3 the right to attach any item to any part of the Building adjoining the Property so far as is reasonably necessary to carry out any works to the Property required or permitted by this Lease;

3.1.4 the right to enter any part of the Building that adjoins the Property so far as is reasonably necessary to carry out any works to the Property required or permitted by this Lease.

3.2 The Rights are granted in common with the Landlord and any other person authorised by the Landlord.

3.3 The Rights are granted subject to the Third Party Rights and the Tenant shall not exercise any of the Rights so as to interfere with any Third Party Right.

3.4 The Tenant shall exercise the Rights only in connection with its use of the Property for the Permitted Use.

3.5 The Tenant shall comply with all laws relating to its use of any part of the Building pursuant to the Rights.

3.6 In relation to the Rights mentioned in clause 3.1.2, the Landlord may, at its discretion, re-route or replace within the Building any such Service Media and that Right shall then apply in relation to the Service Media as re-routed or replaced.

3.7 In relation to the Right mentioned in clause 3.1.3, where the Tenant requires the consent of the Landlord to carry out the works to the Property, the Tenant may only exercise that Right

notices, codes of practice and guidance made under it.

- 1.14 Any obligation on the Tenant not to do something includes an obligation not to allow that thing to be done and an obligation to use best endeavours to prevent that thing being done by another person.
- 1.15 Unless the context otherwise requires, any words following the terms including, include, in particular, for example or any similar expression, shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.16 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.17 A reference to writing or written does not include fax or email.
- 1.18 Unless the context otherwise requires, references to clauses and Schedules are to the clauses and Schedules of this Lease and references to paragraphs are to paragraphs of the relevant Schedule.
- 1.19 Clause, Schedule and paragraph headings shall not affect the interpretation of this Lease.
- 1.20 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.21 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.

2 Grant

- 2.1 The Landlord lets with full title guarantee the Property to the Tenant for the Contractual Term and for avoidance of doubt does not include the first-floor apartments/flats.
- 2.2 The grant is made together with the ancillary rights set out in clause 3, excepting and reserving to the Landlord the rights set out in clause 4, and subject to the Third-Party Rights.
- 2.3 The grant is made with the Tenant paying the following as rent to the Landlord:
- 2.3.1 the Annual Rent and all VAT in respect of it;
 - 2.3.2 the Insurance Rent;
 - 2.3.3 all interest payable under this Lease; and

- 1.2 A reference to this Lease, except a reference to the date of this Lease or to the grant of this Lease, is a reference to this deed and any deed, licence, consent, approval or other instrument supplemental to it.
- 1.3 A reference to the Landlord includes a reference to the person entitled to the immediate reversion to this Lease. A reference to the Tenant includes a reference to its successors in title and assigns. A reference to a guarantor is a reference to any guarantor of the tenant covenants of this Lease including a guarantor who has entered into an authorised guarantee agreement.
- 1.4 In relation to any payment, a reference to a fair proportion is to a fair proportion of the total amount payable, determined conclusively (except as to questions of law) by the Landlord.
- 1.5 The expressions landlord covenant and tenant covenant each has the meaning given to it by the Landlord and Tenant (Covenants) Act 1995.
- 1.6 Unless the context otherwise requires, references to the Building and the Property are to the whole and any part of it.
- 1.7 The expression neighbouring property does not include the Building.
- 1.8 A reference to the term is to the Contractual Term and statutory continuation of this Lease.
- 1.9 A reference to the end of the term is to the end of the term however it ends.
- 1.10 References to the consent of the Landlord are to the consent of the Landlord given in accordance with clause 39.5 and references to the approval of the Landlord are to the approval of the Landlord given in accordance with clause 39.6.
- 1.11 A working day is any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.
- 1.12 A reference to laws in general is a reference to all local, national and directly applicable supra-national laws as amended, extended or re-enacted from time to time and shall include all subordinate laws made from time to time under them and all orders, notices, codes of practice and guidance made under them.
- 1.13 Unless otherwise specified, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time and shall include all subordinate legislation made from time to time under that statute or statutory provision and all orders,

"Third Party Rights"	<p>100% of the cost of the common items and/or any other ad hoc payments or costs incurred by the Landlord relating to the Building, including but not limited to the costs of repair to the roof and structure of the Building.</p> <p>all rights, covenants and restrictions affecting the Building including the matters referred to at the date of this Lease in the property register and of the charges register of title number GM570384.</p>
"VAT"	<p>value added tax chargeable under the VATA 1994 and any similar replacement tax and any similar additional tax.</p>
"VATA 1994"	<p>Value Added Tax Act 1994.</p>

(e) the doors and windows within the interior, and the exterior front door and window and their frames and fittings;

(f) the maintenance door and shop front,

but excluding:

(g) all Service Media within that part of the Building but which do not exclusively serve that part of the Building; and

(h) the roof and foundations of the Property and all external and load bearing walls, columns, beams, joists, slabs and supports of the Property.

(i) The first floor flats.

"Recommendation Report"

a report as defined in regulation 4 of the Energy Performance of Buildings (England and Wales) Regulations 2012 (SI 2012/3118).

"Rent Commencement Date"

1st July 2021

"Review Date"

Every third anniversary of the lease.

"Rent Payment Dates"

1st of every month.

"Reservations"

all of the rights excepted, reserved and granted to the Landlord by this Lease.

"Service Media"

all media for the supply or removal of heat, electricity, gas, water, sewage, air-conditioning (if any), energy, telecommunications, data and all other services and utilities and all structures, machinery and equipment ancillary to those media.

"Tenant's Proportion"

70% of the Landlord's buildings insurance and other

	against from time to time and Insured Risk means any one of the Insured Risks.
"Interest Rate"	the base rate from time to time of Lloyds Bank plc (or such other bank as the Landlord decides from time to time, or if that base rate stops being used or published then a comparable commercial rate reasonably determined by the Landlord.
"Landlord's Neighbouring Property"	each and every part of the building which is not demised to the Tenant in which the Landlord has an Interest.
"LTA 1954"	Landlord and Tenant Act 1954.
"Permitted Use"	Use as retail shop and permitted subletting as a car wash;
"Plan 1"	the plan attached to this Lease marked "Plan 1".
"Plan 2"	the plan attached to this Lease marked "Plan 2".
"Property"	<p>Ground Floor and yard 187-193 Kings Road, Ashton Under Lyne, OL6 8HD as shown [] on Plan 1 bounded by and including:</p> <ul style="list-style-type: none"> (a) the floorboards; (b) the ceiling plaster; (c) the interior finishes and plasterboard of exterior walls and columns; (d) one half of the thickness of any shared interior walls;

accordance with regulation 22 of the Energy Performance of Buildings (England and Wales) Regulations 2012 (SI 2012/3118).

"Energy Performance Certificate"

a certificate as defined in regulation 2(1) of the Energy Performance of Buildings (England and Wales) Regulations 2012 (SI 2012/3118).

"Insurance Rent"

the aggregate in each year of:

(a) Tenant's Proportion (70%) of the gross cost of the premium before any discount or commission for the insurance of the Building, other than any plate glass, for its full reinstatement cost (taking inflation of building costs into account) against loss or damage by or in consequence of the Insured Risks, including costs of demolition, site clearance, site protection and shoring up; professional and statutory fees and incidental expenses, the cost of any work which may be required under any law and VAT in respect of those costs, fees and expenses, and public liability insurance in relation to the Landlord's interest in the Building;

(b) the gross cost of the premium before any discount or commission for insurance for loss of Annual Rent from the Property for three years; and

(c) insurance premium tax payable on the above.

"Insured Risks"

means: fire, explosion, lightning, earthquake, storm, flood, bursting and overflowing of water tanks, apparatus or pipes, impact by aircraft and articles dropped from them, impact by vehicles, subsidence, ground slip, heave, rot, civil commotion and any other risks against which the Landlord decides to insure

to in the Insolvent Partnerships Order 1994 (SI 1994/2421) (as amended), and a limited liability partnership (as defined in the Limited Liability Partnerships Act 2000) subject to the modifications referred to in the Limited Liability Partnerships Regulations 2001 (SI 2001/1090) (as amended).

Act of insolvency includes any analogous proceedings or events that may be taken pursuant to the legislation of another jurisdiction in relation to a tenant or guarantor incorporated or domiciled in such relevant jurisdiction.

"Annual Rent"	rent at an initial rate of £30,000 per annum and then as revised pursuant to this Lease and any interim rent determined under the LTA 1954.
"Building"	The building known as 187-189 Kings Road, Ashton-Under-Lyne, OL8 8HD, being the property comprised in Land Registry number WY134847 and shown edged in blue on Plan 2.
"CDM Regulations"	the Construction (Design and Management) Regulations 2015 (SI 2015/61).
"Contractual Term"	a term of seven years beginning on, and including the date of this Lease and ending on, and including 1 st July 2028
"Default Interest Rate"	4% per annum above the Interest Rate.
"Energy Assessor"	an individual who is a member of an accreditation scheme approved by the Secretary of State in.

- (d) the appointment of a receiver or manager or an administrative receiver in relation to any property or income of the Tenant or any guarantor;
- (e) the commencement of a voluntary winding-up in respect of the Tenant or any guarantor, except a winding-up for the purpose of amalgamation or reconstruction of a solvent company in respect of which a statutory declaration of solvency has been filed with the Registrar of Companies;
- (f) the making of a petition for a winding-up order or a winding-up order in respect of the Tenant or any guarantor;
- (g) the striking-off of the Tenant or any guarantor from the Register of Companies or the making of an application for the Tenant or any guarantor to be struck-off;
- (h) the Tenant or any guarantor otherwise ceasing to exist (but excluding where the Tenant or any guarantor dies);
- (i) the making of an application for a bankruptcy order, the presentation of a petition for a bankruptcy order or the making of a bankruptcy order against the Tenant or any guarantor; or
- (j) the levying of any execution or other such process on or against, or taking control or possession of, the whole or any part of the Tenant's assets.

The paragraphs above shall apply in relation to a partnership or limited partnership (as defined in the Partnership Act 1890 and the Limited Partnerships Act 1907 respectively) subject to the modifications referred

THIS LEASE is made on 22nd July..... 2021

BETWEEN:

- (1) Tahira Farooq Khan and Yasmeen Khan of 187-193 Kings Road, Ashton-Under-Lyne, OL6 8HD and of [REDACTED] (the "Landlord").
- (2) Tasdaq Mehmood Ahmad of [REDACTED] T/a Higher Hurst Post Office (the "Tenant"),

IT IS AGREED as follows:

1 Interpretation

The following definitions and rules of interpretation apply in this Lease.

1.1 Definitions:

"Act of Insolvency"

- (a) the taking of any step in connection with any voluntary arrangement or any other compromise or arrangement for the benefit of any creditors of the Tenant or any guarantor;
- (b) the making of an application for an administration order or the making of an administration order in relation to the Tenant or any guarantor;
- (c) the giving of any notice of intention to appoint an administrator, or the filing at court of the prescribed documents in connection with the appointment of an administrator, or the appointment of an administrator, in any case in relation to the Tenant or any guarantor;

Dated 22/07/ 2021

(1) Tahira Farooq Khan & Yasmeen Khan

and

(2) Tasadduq Mahmood Ahmad trading as Higher Hurst Post Office

LEASE

relating to
Ground Floor 187-193 Kings Road,
Ashton Under Lyne, OL6 8HD

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STATEMENT BY TAHIRA KHAN

I have written this statement to the best of my knowledge. I own the property 187-193 Kings road, Ashton under Lyne, OL6 8HD also known as Premier Hurst Cross. This is a large convenience store which includes a post office and other additional facilities.

Mr Tasadaf Ahmed has run the business since October 2020. He has to the best of his ability run the business with all due diligence and I have great faith in the way he manages the premises. I am happy with the way he has finally brought stability to the business and I wish for this to continue. Mr Ahmed is new to the retail business and he has endeavored to run the place in the best way possible.

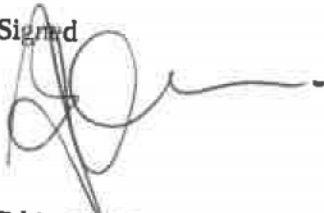
Mr Ahmed completed his course to obtain a personal licence this year and has become DPS. Then with the support of Mr Adil Khurshid who approached Mr Tony Dales (licensing consultant) to apply for a Premises license for Mr Ahmed. I myself was not part of this process. I was told the application had been successful and the premises licence was now in Mr Tasadaf Ahmed's name. I was later very shocked to hear there had been a problem with the application and a review was necessary as the signature obtained on the application had not been Mr Ayubs.

I wish to make it clear that at no point in time did we suspect the transfer application Mr Khurshid submitted to Mr Dales hadn't been signed by Mr Ayub. If Mr Ayub had refused to sign Mr Khurshid should have informed Mr Dales and another approach would have been taken in order to remove Mr Ayub's name from the premises license. I am aware the licensing committee has procedures in place for different circumstances. I only recently found out that Mr Ayub's name was on the premises licence and couldn't understand why this had been done. This application had been completed without my knowledge.

In order to manage the business more effectively I have also successfully completed and obtained my own personal license. I am aware of the license committee's objectives and appreciate the necessity of these in running a business which sells alcohol. The premises has a large number of outgoings including staff wages. I believe the business would be greatly affected if the sale of alcohol was removed. I hope this will be taken into consideration when the licensing committee makes a decision. I appreciate the difficulty the committee has been placed in and at the last meeting we made every effort to resolve the situation with Mr Ayub and Mr Mushtaq. When the application was submitted it was placed in good faith and Mr Ahmed shouldn't be penalised for Mr Khurshid's actions.

I would like the Premises licence to remain in Mr Tasadaf Ahmed's name, however if the committee decides this is not possible, then I would like the opportunity to apply for this in my name. I would only ask that the Premises license isn't suspended or revoked until I am able to complete this application. I hope an agreement can be reached to the satisfaction of all parties.

Signed



Tahira Khan

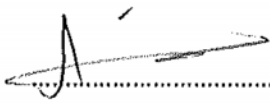
1st November 2021

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1. My name is Mr Adil Khurshid.
2. My date of birth is [REDACTED] [REDACTED].
3. My address is [REDACTED].
4. I am making this statement regarding a business dispute relating to an off-licence running at 187-193 Kings Road, Ashton-under-Lyne, OL6 8HD.
5. In 2017, I signed a 7 -year lease with Tahira Khan (landlady) for the above premises.
6. The off-licence business was being run since 2020 by Mr Mohammad Ashraf Mushtaq.
7. Mr Mushtaq was managing the business having used his own money to set up the business without any financial help from anyone else.
8. I was the premises licence holder at this time during which the business was running smoothly.
9. The business was being run under the company Ghauri Off-Licence Limited, of which Mr Mushtaq was and is the director.
10. Mr Mushtaq also owned the Premier franchise for the business.
11. All business transactions were being done through the account of Ghauri Off-Licence Limited.
12. In October 2020, I brought in Mr Tasadaq Ahmad to work at the shop. He showed interest in becoming a partner in the business and wanted to assess the running of the business by working there for a short while. The agreement was for him to work and get paid for it whilst he assessed the business at the same time.
13. He was interested in stock checks and maintaining them to see what kind of sales were taking place, so he mainly managed stocks.
14. Tasadaq was absolutely not a manager or owner of the business.
15. In February 2021, Mr Mohammad Ayoob started work at the shop.
16. Mr Ayoob ran the day-to-day business, but he wasn't managing it, the overall management was done by Mr Mushtaq.
17. Me and Mr Mushtaq were happy with Mr Ayoob's work and, with his consent, agreed to transfer the premises licence into his name in March 2021.
18. I was happy with the arrangement at this time. Mr Mushtaq was managing the shop, Mr Ayoob was responsible for the day-to-day matters, and Tasadaq continued to manage stocks and make the assessments.
19. After the transfer of the licence to Mr Ayoob, Tasadaq asked me questions about the off-licence.
20. At this time, I was the DPS (designated premises supervisor).
21. When Tasadaq asked me these questions, I thought he was asking me about the designated premises supervisor's role.
22. Me, Mr Mushtaq and Mr Ayoob had no intentions of changing the premises licence holder into anyone else's name.
23. I spoke with Mr Mushtaq and we both agreed that it would give the impression of further responsibility to Tasadaq to be the DPS to tie him into investing in the business in the future and also since he was at the premises daily anyway.
24. I referred Mr Tony Dales to Tasadaq for the transfer of the DPS. Tony is a Licensing Agent I have known and used for about 5 years.

25. At no point, when I referred Tony to Tasadaq, was my action or intention, in any way, that the premises licence should be transferred from Mr Ayoob to Tasadaq.
26. I didn't meet Tony in person after this referral.
27. In May 2021, I learnt and was surprised that the Council somehow approved an application for the transfer of the premises licence into Tasadaq's name.
28. I did not witness Mr Ayoob sign for a transfer of the premises licence into the name of Tasadaq.
29. My Ayoob tells me he didn't sign for this transfer to take place into Tasadaq's name.
30. There was no meeting in person between me, Tony, Mr Ayoob and Tasadaq.
31. It is clear that the signature of Mr Ayoob in the transfer application into Tasadaq's name has been forged.
32. At no point did I provide any paperwork to Tony for the transfer of the licence into Tasadaq's name. As I say, I didn't meet Tony in person after referring him to Tasadaq.
33. I also understand Tony has confirmed he did not see Mr Ayoob sign the consent form for the transfer into Tasadaq's name, neither did Mr Ayoob instruct Tony to transfer the licence.
34. To my shock I have also learnt that back in October 2020, without my or anyone else's knowledge, Tasadaq had set up a new company called 'Premier Hurst Cross Ltd' and opened a business bank account in the same name.
35. Tasadaq had begun discreetly using this new account for business transactions like purchasing stock and credit payments. Again, this was without my and Mr Mushtaq's knowledge. He also started paying the leasehold rent from this new account.
36. As I have explained I am the valid leaseholder for the premises. However, I have also come to learn, that on 31 July 2021, Tasadaq has somehow agreed a new lease of the same premises under his business name 'Premier Hurst Cross Ltd'.
37. It seems to me that Tasadaq was planning quietly to transfer everything onto his name behind everyone's back whilst my and Mr Mushtaq's attention was on other important matters.
38. I have taken legal advice and have been clearly informed to seek injunctive relief to stop Tasadaq from continuing to be involved in the business. I have also been informed that the new lease is null and void whilst the original lease remains valid. The original lease in my name doesn't expire until 2024. Both Tasadaq and the landlord have a lot of explaining to do.
39. I will be present at the hearing on 22 November 2021 to confirm the above.

Name: Mr Adil Khurshid

Signed: 

Date: 11/11/21

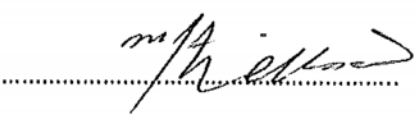
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1. My name is Mr Mohammad Ashraf Mushtaq.
2. My date of birth is [REDACTED].
3. My address is [REDACTED].
4. I have an ongoing dispute with Mr Tasadaq Ahmad in relation to my off-licence business being run at the premises 187-193 Kings Road, Ashton-under-Lyne, OL6 8HD.
5. The leaseholder of the premises was and remains Mr Adil Khurshid. I purchased a 50% share of the leasehold, paying £135,000.00 to Adil. In early 2020, I discussed with Adil the possibility of starting an off-licence business at the premises. He didn't have much capital at that time so we decided I would invest alone and start an off-licence at the premises.
6. The off-licence business was set up and run under my company Ghauri Off-Licence Limited, of which I am a director.
7. Prior to the running of the business, the premises was not being used for any purpose and it was in a state of disrepair. I invested my own money to bring the premises into condition and applied to become the franchisee of the business known as 'Premier' stores.
8. The money paid to set up the off-licence business was also solely my own. On 15 February 2020, I was successful in obtaining the 'Premier' franchise and registered it under my company Ghauri Off-Licence Limited.
9. I also purchased the licence for the Post Office close to the premises, from Mr Javaid Iqbal, who was going to transfer the Post Office licence into my name. He still hasn't done this.
10. To make it clear I was the owner of this business. Adil remained the DPS and Off-Licence holder for the premises but this was temporary and would be transferred to someone suitably employed later.
11. From June 2020 to October 2020, there were no problems. The Premier franchise was running well. The day-to-day management of the business was done by me.
12. The business rates, stock credit agreement with Booker and electricity bills were being paid through the account of Ghauri Off-Licence Limited.
13. In October 2020, Adil brought in Mr Tasadaq Ahmad into the business with a view to helping me release time off from the business. Tasadaq showed intentions to invest in the business and to manage it but wanted to temporarily work there first to assess the turnover.
14. Tasadaq started work to manage the stock and was paid for his hours, though he showed himself to be a self-employed consultant. He became responsible for the day-to-day cash & carry stock purchases. Soon after, whilst I concentrated on other matters Tasadaq would pay me the business profits weekly without any problems.
15. Tasadaq had no management role or responsibilities or ownership rights of the business but would be trusted to undertake some tasks for me.

16. His main task was to ensure the stock was replenished.
17. The leasehold rent was being paid by me and I continued paying the rent as normal.
18. In February 2021 I hired Mr Mohammad Ayoob to manage the day-to-day running of the business.
19. On 17 March 2021, an application was made to transfer the premises licence from Adil to Mohammad Ayoob.
20. On 6 April 2021, I contacted the Council to find out the status of the application and I was told that the new licence in the name of Mohammad Ayoob was posted to the shop address. This was never received by me or Mohammad Ayoob at the shop address.
21. Mohammad Ayoob asked me to contact the Council to resend the licence which I eventually got by email. I also notified the Council licencing department that any further application for the changing of the premises licence should be reported to me and Mohammad Ayoob. The council confirmed that a note would be put on the system and that we would be notified of any further applications being made to vary the licence.
22. In May 2021, I noticed a payment of £440.00 on the business ledger referring to "Tony Licence" which concerned me. We contacted the Council licencing department to enquire about this payment and we were informed that a further application had been made to transfer the premises licence into the name of Tasadaq.
23. Mohammad Ayoob told me he had not, as the licence holder, signed to consent to this further application.
24. I informed the Council of Mohammad Ayoob not having consented and questioned how the application was possible without us being notified. I received a reply by email stating that the note previously on the system had not alerted the licencing officer.
25. The premises licence was surprisingly granted to Tasadaq even though the licencing department was made fully aware and alerted of my concerns prior to the granting of the licence to Tasadaq.
26. The Council has however confirmed that the signature of Mohammad Ayoob is different from the 17 March 2021 application (made by Mohammad Ayoob), compared to the 28 April 2021 forged signature of Mohammad Ayoob.
27. I believe Tasadaq forged Mohammad Ayoob's signature on the transfer application and also used Mohammad Ayoob's identification document for this transfer without his permission.
28. On the advice of the Licencing Authority, Mohammad Ayoob reported Tasadaq's fraud to the Police.

29. The Retail Data Partnership Ltd has confirmed to me that Tasadaq also tried to get the name on the Premier franchise changed to his name. However, he didn't succeed in doing so.
30. I am also aware that back in October 2020, without my or anyone else's knowledge at the time, Tasadaq set up a company called Premier Hurst Cross Ltd and registered it at the same business address. This was cleverly done to reflect the trading name of 'Premier Hurst Cross' that was being used on the shop fascia by my company Ghauri Off-Licence Limited. He also set up a bank account accordingly in the new name and had started trading some parts of the business money into this new company.
31. In May 2021, Tasadaq stopped paying the profits to me making the excuse that the summer was coming, and the business needed to build up stock.
32. In around July 2021, Tasadaq shockingly claimed that I would no longer have any involvement in the business.
33. On 31 July 2021, he also somehow obtained a new lease on the premises from the landlord despite the current lease in Adil's name not expiring for at least another 2 years. Adil is seeking legal advice on this.
34. I have spoken to Adil about the situation. He has confirmed to me that he did not give any authority and that Tasadaq is acting fraudulently.
35. On 31 August 2021, a meeting took place in which myself, Mohammad Ayoob, Tasadaq, Mike Robinson (Licensing Manager), PC Martin Thorley (Police Licensing Officer), Tahira Khan (landlady of the premises) and Tony Dales (Licensing Agent acting on behalf of Tasadaq) were present. Some of the disputes I have with Tasadaq were discussed.
36. On 14 October 2021, a premises licence review application was made.
37. A Speaker's Panel (Licensing) hearing has been arranged to determine the application and the valid premises licence holder on 22 November 2021.
38. I will be present at the hearing and will explain how I am the business owner and that Tasadaq has fraudulently obtained the premises licence onto his name and how Tasadaq has wrongfully claimed to be the owner of the business.

Name: Mr Mohammad Ashraf Mushtaq

Signed: 

Date: 11/11/21



**Notice of Individual Person
with Significant Control**

Company Name: **GHAURI OFF-LICENCE LIMITED**

Company Number: **10807370**



Received for filing in Electronic Format on the: **18/04/2020**

X937M3ZT

Notification Details

Date that person became **16/03/2020**
registrable:

Name: **MR MOHAMMAD ASHRAF MUSHTAQ**

Service address recorded as Company's registered office

Country/State Usually **WALES**
Resident:

Date of Birth:



Nationality: **BRITISH**

Nature of control

The person has the right to exercise, or actually exercises, significant influence or control over the activities of a firm that, under the law by which it is governed, is not a legal person; and the members of that firm (in their capacity as such) hold, directly or indirectly, 75% or more of the shares in the company.

The person holds, directly or indirectly, 75% or more of the shares in the company.

The person has the right to exercise, or actually exercises, significant influence or control over the activities of a trust, and the trustees of that trust (in their capacity as such) hold, directly or indirectly, 75% or more of the shares in the company.

The person has the right, directly or indirectly, to appoint or remove a majority of the board of directors of the company.

The person has the right to exercise, or actually exercises, significant influence or control over the activities of a trust, and the trustees of that trust (in their capacity as such) have the right to exercise, or actually exercise, significant influence or control over the company.

The person has the right to exercise, or actually exercises, significant influence or control over the activities of a firm that, under the law by which it is governed, is not a legal person; and the members of that firm (in their capacity as such) hold, directly or indirectly, 75% or more of the voting rights in the company.

The person holds, directly or indirectly, 75% or more of the voting rights in the company.

The person has the right to exercise, or actually exercises, significant influence or control over the activities of a trust, and the trustees of that trust (in their capacity as such) hold, directly or indirectly, 75% or more of the voting rights in the company.

Register entry date

Register entry date **17/04/2020**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor

To whom it may concern

DATE: 25/08/2021

I Adil Khurshid of [REDACTED] would like to confirm by making this statements that I had on 17-03-2021 transferred the premises license NO.PL0231 of 187-193 Kings Road , Ashton Under Lyne OL6 8HD on Mr. Mohammed Ayooob's name.

This is further confirmed that I had signed the consent form dated 17/03/2021

Thanking you

Yours sincerely

Adil Khurshid



A handwritten signature in blue ink, appearing to be 'Adil Khurshid', written over a faint horizontal line.



CERTIFICATE-2.pdf



**CERTIFICATE OF INCORPORATION
OF A
PRIVATE LIMITED COMPANY**

Company Number **12982374**

The Registrar of Companies for England and Wales, hereby certifies that

PREMIER HURST CROSS LTD

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales.

Given at Companies House, Cardiff, on **29th October 2020**.

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



	SALE	EXPENSIVE	BYING	CASH. CARRY	WAGES	CARDS
10-5-21						
Mon	2790	103. VAN INSUR	63. JK DAIRY 30. GOLDEN LAY	3656. BOOKER		1110
TUE	2703		20. AL MAKKA 95. FOOD LOWER 27. JK DAIRY 48. VEG			1034
WEN	2680		81.07 CALFER LTD 81.24 TEA TIME 108.97 BEST WAY 19.02 JK DAIRY 12 32 MIX BOTTES	1880 BOOKER 1430. PARFETTS		1040
THUR	2748		1260 AL MAKKA 52.20 JK DAIRY 74.47 BUZZ			1073
FR	3332	30. FUEL 18. RMS	38.99 JK DAIRY 25.30 KESAH 75.33 FOOD. LOWER 78. RIZLA	4216 - BOOKER	312. SILL 150 STEFF	1820
SAT	3155		4690. JK DAIRY 20. AL MAKKA 120. CIGRETTES		360. TASAPAR 120. A700B 120. FARPOOR	1491
SUND	3274	440. TONY LICENCE 10. FOOD	1250 WINE 85. RIZLA	4123. PARFETTS	195 MP	1684
	20682	601	2471 + 85 <hr/> 2556	15305 - 963 PROFIT 14342	1257	

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1. My name is Mr Mohammad Ayoob.
2. My date of birth is [REDACTED].
3. My address is [REDACTED].
4. I am making this statement in relation to the off-licence business running at 187-193 Kings Road, Ashton-under-Lyne, OL6 8HD.
5. On 7 February 2021, I came into the business as an employee responsible for the day to day running of the business.
6. The owner of the business is Mr Mohammad Ashraf Mushtaq.
7. When I started work, Mr Mushtaq was managing the business and Mr Tasadaq Ahmad was working at the off-licence.
8. Tasadaq was mainly responsible for making sure stock levels were adequate.
9. Mr Mushtaq and Mr Adil Khurshid (premises licence holder) told me Tasadaq was only working there temporarily to see if he wanted to be involved in the business in the future. However, he worked daily and was mainly involved in stock management and was paid for his work whilst he was there.
10. The business ran under Ghauri Off-Licence Limited, of which Mr Mushtaq was a director. I was aware that Tasadaq had no management responsibilities or ownership of the business.
11. Mr Mushtaq was the owner of the Premier franchise, and the business rates, stock credit agreement and bills were in the name of and/or being paid through the account of Ghauri Off-Licence Limited.
12. Mr Mushtaq, and the holder of the premises off-licence Mr Khurshid, were satisfied with my work and approved for me to become the new premises licence holder. On 17 March 2021, with the approval of Mr Mushtaq and Mr Khurshid, an application was made for the transfer of the licence into my name.
13. On 6 April 2021, I asked Mr Mushtaq to contact the Council to find out the status of the application and the Council said that the new licence in my name was posted to the shop address.
14. The licence however was not received by me at the shop address, which was strange.
15. Mr Mushtaq made enquiries and was able to get the licence emailed to him.
16. In May 2021, Mr Mushtaq found out an application to transfer the licence from my name into Tasadaq's name had been made to the Council.
17. I did not sign for this transfer into the name of Tasadaq to take place, neither did he ever mention anything to me or Mr Mushtaq about it even though he saw me regularly at the shop.
18. I was later informed that the premises licence was actually granted to Tasadaq and to my shock it had my signature on the application form. I did not sign that application, nor did I give any authority for the licence to be transferred to anyone else's name.
19. However, the Council has rightly confirmed that my signature on the fraudulent transfer application is different to that of mine.
20. I was and still am extremely shocked and angry that Tasadaq has abused my relationship with him and breached my trust and confidence to commit an act of fraud. I reported this to the Police under crime reference NFRC210504519009.
21. I have also learnt that Tasadaq had created a new company called 'Premier Hurst Cross Ltd' (the name to match the trading name of Premier) and may have been doing transactions behind Mr Mushtaq's back.
22. On 31 August 2021 I attended a meeting where the above issues were mentioned.
23. I will be present at the hearing on 22 November 2021, and I will confirm that I did not sign or authorise the licence transfer application into Tasadaq's name and that the signature on the application is not mine.

Name: Mr Mohammad Ayooob

Signed: 

Date: 11/11/21