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SPEAKERS PANEL (LIQUOR LICENSING)

Day: Thursday
Date: 28 March 2024
Time: 11.00 am
Place: Committee Room 1, Level 2, Tameside One, Market Place,
Ashton-under-Lyne, Tameside, OL6 6BH

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 Speakers Panel (Liquor Licensing) meeting held on 19 December 2023.	1 - 6
4.	APPLICATION FOR A NEW PREMISES LICENCE – ASDA EXPRESS PFS STALYBRIDGE, STAMFORD STREET, STALYBRIDGE, SK15 1LH To consider a report of the Assistant Director of Operations and Neighbourhoods.	7 - 52

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Charlotte Forrest, Senior Democratic Services Officer on 0161 342 2346 or charlotte.forrest@tameside.gov.uk, to whom any apologies for absence should be notified.

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Agenda Item 3.

SPEAKERS PANEL (LIQUOR LICENSING)

19 December 2023

Commenced: 1.30 pm

Terminated: 2:45pm

Present: Councillors Drennan (Chair), Bowden (Vice-Chair) and Quinn

In Attendance:

Mike Robinson	Regulatory Services Manager (Licensing)
Sharon Campbell	Regulatory Compliance Officer
Dave Ringer	Regulatory Compliance Officer
Tracy Jones-Lacy	Trading Standards Officer
Ashleigh Melia	Legal Representative, TMBC

9. DECLARATIONS OF INTEREST

Councillor Bowden declared, on the grounds of public interest, that she was acquainted with PC Foley through a mutual family acquaintance. She further declared that this did not prejudice her professional integrity in hearing the Review and reaching a decision with Panel Members.

10. MINUTES

RESOLVED

That the Minutes of the meetings of the Speakers' Panel (Liquor Licensing) held on 7 November 2023 were approved as a correct record.

11. REVIEW OF A PREMISES LICENCE FOR SAVE MORE CONVENIENCE STORE, DROYLSDEN

Mr Reza Enayati, the Premises Licence Holder and Designed Premises Supervisor, was not in attendance at the Hearing. He was granted a 15-minute grace period and was contacted via telephone to ascertain his whereabouts. He advised that he would not be attending the Hearing, that he had sold the business and that he was no longer the Premises Licence Holder and Designed Premises Supervisor. The Panel were informed that Mr Enayati had been told that he was required to provide evidence of this and had been reminded to provide this evidence on multiple occasions but had failed to do so.

In the absence of Mr Enayati and given his notification that he did not intend to attend the hearing, the Panel exercised their power under Section 20 of The Licensing Act 2003 (Hearings) Regulations 2005 to proceed in Mr Enayati's absence.

Mr Robinson, Regulatory Services Manager, presented the report and identified the steps available to the Panel in determining the Review, under Section 52 (4) of the Licensing Act 2003. He informed the Panel that Save More Convenience Store, 75-77 Market Street, Droyslden, M34 6DD was a licensed premises and Mr Enayati has held the positions of Premises Licence Holder and Designed Premises Supervisor since 3 February 2023.

Mr Robinson informed the Panel that the Premises Licence was previously subject to a Premises Licence Review on 6 December 2022 following concerns regarding the sale of illicit tobacco. The Panel determined at that Hearing, to suspend the licence for a period of 3 months and modified the conditions on the licence. The suspension took effect following the appeal period and the licence remained suspended until 2 April 2023.

It was reported that on 3 April 2023, a compliance visit was carried out at the premises and it was found that nine conditions were being breached and no Personal Licence Holder was present at the premises. On 18 April 2023, a further compliance visit was carried out and a number of breaches were identified, including no licence summary on display, no Personal Licence Holder on site, no authorisations list, no staff training records and the member of the staff at the premises was unable to use the CCTV system. A letter was sent to Mr Enayati outlining the breach of conditions.

It was further reported that on 26 April 2023, another visit was conducted at the premises and it was noted that the breaches previously identified on 18 April 2023 had not been addressed. On 31 August 2023, the Licensing Department were made aware that Greater Manchester Police had received two intelligence reports stating that illegal cigarettes were being sold from the premises and that the cigarettes were being stored in a vehicle at the rear of the shop.

The Panel were told that on 7 September 2023, Licensing, Trading Standards and Greater Manchester Police visited the shop and at the time of the visit a male went to the back of the shop to use the bathroom. This man was searched and Police Officers found car keys, belonging to a black Audi, in his possession. The car was parked in the car park at the rear of the premises and when unlocked, over 800 illicit and non-compliant tobacco items were found. An empty box of non-compliant vapes was also found behind the counter. The vehicle was seized by police. The premises was also found to be non-compliant with the following licencing conditions:

- No Personal Licence Holder on the premises
- Refusals book not up to date
- No staff training record
- No CCTV checks being made
- No staff able to use CCTV
- List of authorised persons up to date
- CCTV not storing footage for 28 days
- No waste contract in place

On 8 September 2023, a letter was hand delivered to the Premises Licence Holder by a Regulatory Compliance Officer outlining the breaches found from the previous visit on 7 September 2023.

The Panel were made aware that on 21 September 2023, Mr Enayati was invited into Council offices to discuss the visit on 7 September 2023. Mr Enayati was asked to bring CCTV footage from that day however, he could not produce this. Mr Enayati stated that he would be sorting all the issues raised on 7 September 2023 and he was informed that he would have to obtain the CCTV footage at a visit 2 weeks after the meeting. This CCTV footage could not be produced as he said the system had not been recording since 8 August 2023, which constituted a breach to the licence conditions.

The Panel were notified that on 4 October 2023, a visit was made to the premises by Regulatory Compliance Officers and PC Foley from Greater Manchester Police. The premises were found to be non-compliant and a number of issues were still not addressed, these being:

- No Personal Licence Holder on the premises
- Refusals book not up to date
- No staff training record
- No CCTV checks being made
- No staff able to use CCTV
- List of authorised persons up to date
- No waste contract in place

Mr Robinson informed the Panel that representations had been received from:

- Greater Manchester Police
- Trading Standards
- Public Health

Mr Robinson made the Panel aware that James Mallion from Public Health and PC Foley from Greater Manchester Police were unable to attend the meeting.

It was highlighted that Mr Enayati would have had the opportunity to ask Mr Robinson questions about the report if he was in attendance.

As PC Foley was not in attendance at the Hearing, the Panel considered his written representation, as detailed at Appendix 12 of the report, summarised as follows:

- Grounds of the representation were Prevention of Crime and Disorder and the Protection of Children from Harm.
- Concerns over the running of Save More, which has not changed since the change in ownership since the last review.
- The same issues have been consistent with the current owner Mr Enayati.
- The licensing objectives of prevention of crime and disorder and protection of children from harm were not being adhered to despite being given plenty advice.
- During PC Foley's visit with Trading Standards on 11 April 2023, Mr Enayati was present and illicit e-cigarettes were seized from the kitchen at the rear of the shop and from behind the counter.
- Illicit tobacco was seized from behind the counter.
- Alcohol, with the content over the allowed strength as set out in the licence conditions, was found for sale and were seized.
- On 7 September 2023, PC Foley visited the premises with Licensing and Trading Standards officers; keys were seized from a man working in the premises to a black Audi that was parked at the rear of the premises and contained over 800 packets of illicit tobacco products and the vehicle was not registered or taxed.
- The man working behind the counter, Mr Mohammadammini, stated that he was training but also stated that there was no one at the shop to train him.
- No Personal Licence Holder was present at the premises.
- GMP had received intelligence of the shop selling vapes and e-cigarettes to underage children in June, July and September 2023, thus undermining the licensing objectives around protecting children from harm.

Ms Jones-Lacy, Trading Standards, addressed the Panel and made the following representations on behalf of Tameside Council Trading Standards:

- The premises had a history of non-compliance and in recent years had consistently undermined the licensing objectives, namely the protection of children from harm, the prevention of crime and disorder and public safety.
- Ms Jones-Lacy stated that she had previously submitted a representation on 6 December 2022, due to the same issues, which resulted in the licence being suspended for a period of 3 months, and set out the background pertaining to this review application, as set out in her representation at Appendix 13 to the report.
- A visit on 26 April 2023 resulted in non-compliant e-cigarettes being seized together with illicit tobacco and alcohol over the permitted strength, which was being sold at the premises, was also seized.
- On 25 April 2023, tobacco products were found concealed at the premises.
- On 31 August 2023, Ms Jones-Lacy was informed of two reports to GMP that illegal cigarettes were being sold from the store and were being sold to children.
- Ms Jones-Lacy informed the Panel of the seizure on 7 September 2023, where over 800 packets of illicit tobacco were seized from a vehicle parked at the rear of the premises, the keys of which were seized from a man working at the premises at the time.
- The man working behind the counter on this day refused to sign the receipt of the items seized stating that he had nothing to do with the premises.
- On 21 September 2023, Mr Enayati attended a meeting at Tameside Council Offices and stated he knew nothing about the illegal cigarettes as he was in Birmingham on 7 September 2023 and was unable to provide CCTV footage as requested.

- Due to the pattern of non-compliance with Trading Standards legislation since the revocation of the premises licence and evidence of the sale of illicit tobacco, Trading Standards had lost faith in the ability of the management of the premises to promote the licensing objectives and concluded that the licence should be revoked.

Meeting attendees were provided with the opportunity to ask questions. The Panel asked Ms Jones-Lacy if it was the strength of the e-cigarettes that made them illicit and Ms Jones-Lacy confirmed that it was the tank size that made them illicit.

Mr Mallion, Public Health, was not in attendance therefore the Panel considered his written representation, as detailed at Appendix 14 to the report, summarised as follows:

- Concerns regarding the prevention of crime and disorder, public safety and protection of children from harm.
- The Panel considered the statistics as set out in the representation relating to alcohol and smoking.

Mr Enayati was not in attendance and did not provide any information that he would liked to have been considered at the hearing. If Mr Enayati was present, Mr Robinson stated he would have asked him who was in day-to-day control of the premises.

The Panel would like to have asked Mr Enayati if he had any previous experience with this line of work and they wanted to ascertain if the person who he had bought the business from was any relation to him.

The Panel heard brief closing submissions from those present.

On behalf of the Licensing Authority, Mr Robinson summarised the steps that could be taken by the Panel as detailed on the front of the report.

On behalf of the Trading Standards, Ms Jones-Lacy stated that the premises flaunted all legislation and undermined other businesses in the area. She confirmed she had no faith that the premises could promote the licensing objectives.

Members of the Panel retired to deliberate and were accompanied by the Legal Representative and the Senior Democratic Services Officer, who provided legal and procedural advice only and took no part in the decision making process.

DECISION/REASONS

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

- the report to Panel
- the application and representations received
- 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 Review pursuant to Section 52(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 identified by the Panel were as follows:

1. The Premises Licence was previously suspended on 6/12/22 as a result of the large quantities of illicit tobacco being sold and seized from the premises.
2. The suspension ended on 02/04/23 and on 03/04/23, a compliance visit identified 9 breaches to the premises licence.

3. Further breaches have been identified on subsequent visits on 18/04/23, 26/04/23, 07/09/23 and 04/10/23.
4. The Panel were concerned that on 31/08/23, GMP received two reports that the premises was selling illicit tobacco to children, which was being stored in a vehicle to the rear of the premises.
5. Following these reports, a visit was carried out on 07/09/23, which resulted in 879 packets of illicit tobacco being seized from a vehicle to the rear of the premises, the keys of which were seized from a person working at the premises.
6. The premises have had multiple opportunities to change how they run the business and to address the breaches that were identified on various visits to premises.
7. The premises has consistently ignored advice from Professional Bodies on how to promote the licensing objectives and to adhere to the law.
8. There have been persistent breaches of tobacco-related legislation and the same problems identified are the same issues that were identified in 2022, which resulted in the licence being suspended for a period of 3 months.
9. The Panel were of the view that the previous 3 month suspension has not been effective and illegal activity has continued to take place at the premises.
10. The Panel were concerned that this business has not and cannot be run efficiently or promote the licensing objectives.
11. The Panel also noted that Mr Reza Enayati informed Mr Robinson that he had sold the business and was no longer the Premises Licence Holder and Designed Premises Supervisor, however no evidence of this has been provided to the Licensing Authority despite this previously being requested.

The Panel were extremely concerned that previously the premises licence had been suspended for a period of 3 months and that the premises was before the Panel again 12 months later, despite new ownership. The Panel were concerned about the flagrant disregard to the licensing objectives and legislation despite numerous compliance visits and advice provided to the premises.

The Panel called all parties back into the room to read out the decision.

STEPS TAKEN PURSUANT TO S34 LICENSING ACT 2003

The Panel considered all available options.

On balance, having carefully considered all of the available information and having regard for the Premises Licence Holder's disregard to the licensing objectives, legislation and advice from professionals and evidence of the sale of illicit tobacco from the premises and breaches to the licence conditions, the Panel unanimously agreed that the only step available to promote the licensing objectives was to revoke the licence.

RESOLVED

That the premises licence be revoked.

CHAIR

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Agenda Item 4.

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	28 March 2024
Reporting Officer:	Emma Varnam – Assistant Director of Operations & Neighbourhoods
Subject:	APPLICATION FOR A NEW PREMISES LICENCE – ASDA EXPRESS PFS STALYBRIDGE, STAMFORD STREET, STALYBRIDGE, SK15 1LH
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)	<p>In determining the application the Panel must do so with a view to promoting the licensing objectives. The Panel must have regard to its own licensing policy and the Guidance issued pursuant to s182 Licensing Act 2003. The Panel’s decision must be supported with reasons.</p> <p>If the Panel rejects the application, that decision can be challenged by the Applicant. If the Panel grants the licence, the Applicant can appeal against any of the conditions imposed on the licence or against a decision to refuse to specify a person in the licence as the premises supervisor. Any person who made relevant representations can appeal against the decision to grant the licence or against any of the conditions imposed on the licence or on the grounds that the Panel should have refused to specify a person in the licence as the premises supervisor. Any challenge would be by</p>

way of an appeal to the Magistrate's Court, which may dismiss the appeal, substitute for the decision appealed against any other decision, which could have been made by the licensing authority, or remit the case to the licensing authority to dispose of it in accordance with the direction of the court, and may make such order as to costs as it thinks fit. If an appeal were successful the Magistrates would be unlikely to order costs against the Local Authority if the authority had acted honestly, reasonably, properly and on grounds that reasonably appeared to be sound, in exercise of its public duty.

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 17 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for a premises licence.
- 1.2 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made in respect of such an application, the authority must:-
- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such steps as 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 grant the licence subject to –
 - (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.

2. REPORT

- 2.1 The Licensing Office received an application for a new premises licence regarding Asda Express PFS Stalybridge, Stamford Street, Stalybridge, SK15 1LH on 16 January 2024. The named applicant is Euro Garages Limited and proposed Designated Premises Supervisor (DPS) is Mr Neil Eccles.
- 2.2 A location map, including a photograph of the premises is attached at **Appendix 1**.
- 2.3 The original application, a copy of which can be found at **Appendix 2**, is seeking the authorisation of licensable activities, namely the provision of sale of alcohol and late night refreshment. The application is summarised as follows:-

Supply of alcohol (off the premises)

Monday – Sunday 00:00 – 24:00

Provision of Late Night Refreshment

Monday – Sunday 00:00 – 24:00

Premises Opening Hours

Monday – Sunday 00:00 – 24:00

- 2.4 The revised guidance issued under section 182 of the Licensing Act 2003 states that with particular attention being drawn to section 5.22, 5.23 and 5.24, where a Local Authority considers a premises licence application for garages and motorway service areas (MSAs);
- 2.5 Section 176 of the 2003 Act prohibits the sale or supply of alcohol at motorway service areas (MSAs) and from premises, which are used primarily as a garage, or are part of premises used primarily as a garage. Premises are used primarily as a garage if they are used for one or more of the following:
- The retailing of petrol
 - The retailing of derv (diesel)
 - The sale of motor vehicles
 - The maintenance of motor vehicles

- 2.6 It is for the licensing authority to decide, based on the licensing objectives, whether it is appropriate for that premises to be granted a licence, taking into account the documents and information listed in section 17(3) and (4) which must accompany the application.
- 2.7 If a licence is granted in respect of a premises and the primary use of that premises subsequently changes (for example, the primary use becomes that of a garage rather than a shop) it would no longer be legal to sell alcohol on that premises. If a relevant representation is made, the licensing authority must decide whether or not the premises are used primarily as a garage.
- 2.8 The licensing authority requested the licence holder to provide further information to help establish what the primary use of the premises. The information was provided by the applicant on 30 January 2024 and is shown at **Appendix 3**.
- 2.9 On 13 February 2024, TMBC Licensing Department in its capacity as a Responsible Authority submitted a representation. However, the applicant was willing to mediate and agree the below conditions to alleviate the concerns raised regarding effective promotion of the licensing objectives. A list of the mutually agreed conditions are shown below.

Conditions agreed

CCTV

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

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.

Recorded footage must be provided to a representative of any responsible authority on production of a valid Data Protection (DPA) 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.

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.

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.

Refusals Book

A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused

(iii) Name & address of customer (if given)

(iv) Description of customer

(v) Details of i.d. offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request. The refusal book can be hand written or in electronic form on the till.

Staff Training

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

- 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.

Single Purchases

There shall be no sale of single cans of beer, lager or cider from the premises - save for craft/premium priced products.

Reduce the Strength

There will be no sales/supplies of beer, lager or cider with an ABV over 6.5% - save for craft/premium priced products.

Prohibition of alcohol sales at service areas or garages

The licence holder will monitor the primary use of the premises and if transaction data demonstrates that the premises are excluded premises pursuant to S.176 of the Licensing Act 2003, the sale of alcohol will cease until such time as the data demonstrates that the premises are not so excluded. Such data will be maintained on a 6 monthly basis and will be available on request to the Police and the licensing authority. This condition will fall away in the event that S.176 is repealed.

Night Pay Window

There will be no access for customers to enter the premises from 2200 hrs. The premises will use a Night Pay Window from 2200 hrs until 0600 hrs the following day.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

3.1 Representations have been received by TMBC Licensing and Public Health.

3.2 TMBC Licensing

A representation relating to the application has been provided by James Horton of TMBC Licensing. A copy of this is attached at **Appendix 4**.

3.3 Public Health

A representation has been received from James Mallion on behalf of Public Health. This is attached at **Appendix 5**.

4. HOME OFFICE GUIDANCE (S182 Licensing Act 2003)

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:

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

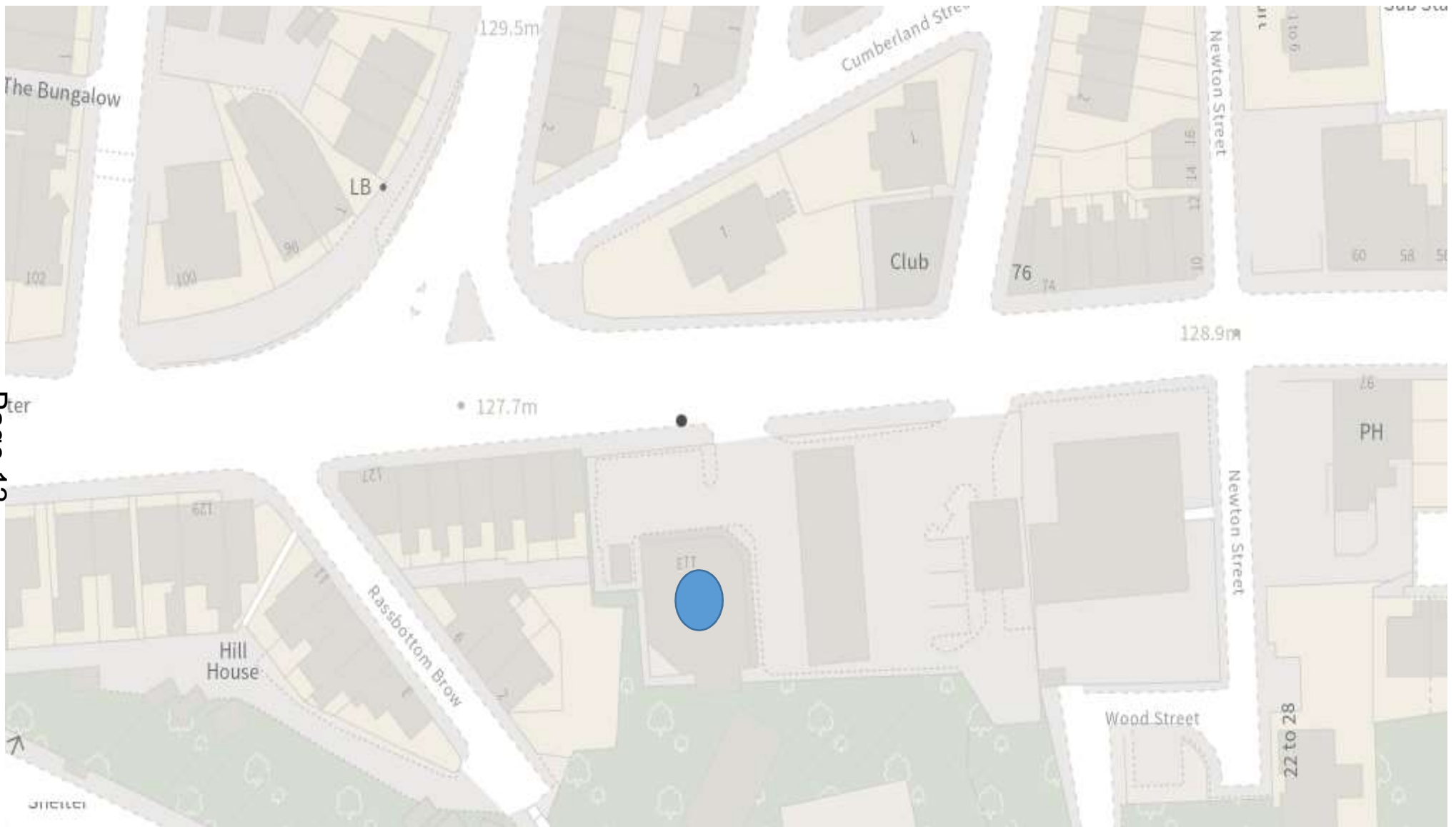
9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been 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. 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.

5. CONCLUSION AND OPTIONS FOR THE PANEL

- 5.1 The Panel are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are;
- (a) to grant the licence subject to –
 - (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.



 = ASDA EXPRESS PFS STALYBRIDGE



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We

Euro Garages Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Asda Express PFS Stalybridge Stamford Street			
Post town	Stalybridge	Postcode	SK15 1LH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£79,000

Part 2 - Applicant details

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

- | | | |
|------------------------------------------------------|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | X | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Euro Garages Limited
Address [REDACTED]
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) [REDACTED]
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	4	0	2	2	0	2	4

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

DD		MM		YYYY			

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

Convenience Store/Petrol Filling Station

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

X

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

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	X
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon	23:00	05:00		
Tue	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
Wed	23:00	05:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
Thur	23:00	05:00		
Fri	23:00	05:00		
Sat	23:00	05:00		
Sun	23:00	05:00		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00:00	24:00			
Tue	00:00	24:00			
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00			
Sat	00:00	24:00			
Sun	00:00	24:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Neil Robert Eccles	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	24:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Staff shall be trained in the premises licence holder's procedures which include liquor licensing and all checkout operators shall have additional training in the sale of alcohol.
All spirits will be displayed behind the counter.
No miniature bottles of spirits of 20cl or below shall be sold from the premises. Please note this does not apply to pre-packaged gift packs which may contain a spirit miniature.

b) The prevention of crime and disorder

A CCTV system will be installed and maintained at the premises. Cameras will cover internal areas and the external area immediately in front of the store. The system, will be capable of continuously recording and copies of such recordings shall be kept for a period of not less than 31 days and handed to the Police or authorised person upon production of a compliant 'Access Request'.
All spirits will be displayed behind the counter.

c) Public safety

The premises licence holder seeks to comply with the requirements of the health and safety legislation.

d) The prevention of public nuisance

e) The protection of children from harm

The store will have a till prompt system for alcohol products.
 When prompted, staff will adopt a Challenge 25 proof of age scheme.
 Only recognised forms of photographic identification such as Passport, Photo Driving Licence, 'Proof of Age' card, Military ID and any other form of identification agreed with the police will be accepted as proof of age. If the appropriate proof of age is not produced there will be no sale.
 Notices are to be prominently displayed advising customers of the Challenge 25 policy.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [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 demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.





Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] 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 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	16 th January 2024
Capacity	Solicitors For and On Behalf of The Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **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 14)			
			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) ljb@goschalks.co.uk			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for

consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement 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 who is resident in the UK 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 in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 to copy].
- 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.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Consent of Individual to Being Specified as Premises Supervisor

(1) Insert full name of prospective premises supervisor.

I (1) NEIL ROBERT ECCLES

(2) Insert home address of prospective premises supervisor.

of (2) 

(3) Insert type of application.

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for (3)

NEW LICENCE

(4) Insert name of applicant.

by (4) EURO GARAGES LIMITED

(5) Insert number of existing licence, if any.

relating to a premises licence (5)

(6) Insert name and address of premises to which the application relates.

for (6) Asda Express PFS Stalybridge
Stamford Street, Stalybridge, SK15 1LH

and any premises licence to be granted or varied in respect of this application made by (4)

EURO GARAGES LIMITED

concerning the supply of alcohol at (6)

Asda Express PFS Stalybridge
Stamford Street, Stalybride, SK15 1LH

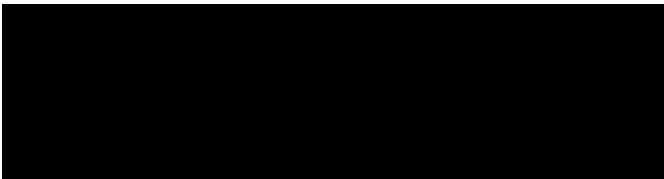
(7) Delete as applicable.

I also confirm that I am entitled to work in the United Kingdom and ~~(7) [am applying for]~~ ~~(7) [intend to apply for]~~ ~~(7) [currently hold]~~ a personal licence, details of which I set out below.

(8) Insert personal licence number, if any.

Personal licence number (8) 

(9) Insert name and address and telephone number of personal licence issuing authority, if any.

Personal licence issuing authority (9)


(10) Please print.

Name(10) NEIL ROBERT ECCLES

Date 16TH JANUARY 2024

DPS ENQUIRY FORM

Following the implementation of Schedule 4 of the Immigration Act 2016 we are required to provide information about your entitlement to live and work in the UK. Please provide all of the information required below.

Mr, Mrs, Miss, Ms	MR
Name:	NEIL ROBERT ECCLES
Date of Birth:	██████████
Place of Birth:	████████████████████
Nationality	██████
Mobile Tel No:	██████████
Personal Licence No:	██████████
Issuing Authority	████████████████████

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[Redacted]

From: [Redacted]
Sent: 30 January 2024 12:03
To: [Redacted]
Subject: RE: Asda Express - Petrol Station (New Premises Application) GTE:00122000026920

You don't often get email from [Redacted] [Learn why this is important](#)

Dear James

I write further to the email below.

I understand that over the 4 full year period of 2019 to 2022, the split of fuel to grocery sales was a 43.48% to 56.52%.

In the circumstances, you will see that the premises are already primarily used as a convenience store and Asda expects grocery figures to rise further.

I am awaiting instructions with regard to your night hatch question. I will revert as soon as I have those instructions.

If you require anything further from me then please do not hesitate to contact me.

Kind regards
Richard

[Redacted]

From: [Redacted]
Sent: Thursday, January 25, 2024 8:49 AM
To: [Redacted]
Subject: FW: Asda Express - Petrol Station (New Premises Application) GTE:00122000026920

Hi James

Many thanks for your email below upon which we will take instructions and revert in due course

Kind regards
Janet

[Redacted]

[Redacted]

[Redacted]

From: [Redacted] >
Sent: Wednesday, January 24, 2024 10:46 AM
To: [Redacted]
Subject: Asda Express - Petrol Station (New Premises Application)

You don't often get email from [Redacted] [Learn why this is important](#)

CAUTION: This email originated from outside the firm. Think before opening attachments and following links.

Hello,

I hope this email finds you well.

I'm contacting you following receipt of an application for a premises licence to be granted at the below site;

Asda Express Petrol Station
Stamford Street
Stalybridge
SK15 1LH

Do you have any supporting documentation to accompany this application with regards to the primary use of the site?

Furthermore, will the premises be accessible for the full 24 hours or will there be a night pay window in use (beyond a nominated time)?

Kind regards
James

James Horton
Regulatory Compliance Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)
Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

[Redacted]

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.

Representation Re: Application for Premises Licence to be granted

From:	Licensing Department, Tameside Metropolitan Borough Council
Date:	13 February 2024
Premises:	Asda Express PFS Stalybridge, Stamford Street, Stalybridge, SK15 1LH
Date of Application:	16 January 2024

The Licensing Department, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, hereby give notice of our objection to application for a new premises licence in respect of the above premises.

The reason(s) for the objection are as follows:

I wish to object to the above application in its current state due to concerns the premises will not effectively promote the licensing objectives.

In order to ensure the effective promotion of the licensing objectives, please acknowledge this as an opposing representation to the application in its current state. However, I would be satisfied the objectives would be promoted if the below conditions are agreed by the applicant.

CCTV

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

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.

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.

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.

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.

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.

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.

Refusals Book

A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of i.d. offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request. The refusal book can be hand written or in electronic form on the till.

Staff Training

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. 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.

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.

Single Purchases

There shall be no sale of single cans of beer, lager or cider from the premises.

Reduce the Strength

There will be no sales/supplies of beer, lager or cider with an ABV over 6.5%

Prohibition of alcohol sales at service areas or garages

The licence holder will monitor the primary use of the premises and if transaction data demonstrates that the premises are excluded premises pursuant to S.176 of the Licensing Act 2003 the sale of alcohol will cease until such time as the data demonstrates that the premises are not so excluded. Such data will be maintained on a 6 monthly basis and will be available on request to the police and the licensing authority. This condition will fall away in the event that S.176 is repealed.

Night Pay Window

There will be no access for customers to enter the premises from 21:30hrs. The premises will use a Night Pay Window from 21:30hrs onwards.

Signed:



Name:

James Horton
Regulatory Compliance Officer

PUBLIC HEALTH

ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

Debbie Watson
Director of Public Health
Public Health

Tameside One, Market Place
Ashton-under-Lyne, Tameside. OL6 6BH

www.tameside.gov.uk

e-mail : [REDACTED]

Call Centre 0161 342 8355

Doc Ref
Ask for James Mallion
Direct Line [REDACTED]
Date 16th January 2024

Re: Representation from the Public Health Department at Tameside Council regarding the application for a new premises license at Asda Express PFS, Stamford Street, Stalybridge SK15 1LH.

Introduction

As a Responsible Body under the 2003 Licensing Act, the Public Health Team at Tameside Council would like to raise a representation as part of application for a new premises license at Asda Express PFS, Stamford Street, Stalybridge SK15 1LH.

The representation primarily relates to:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance

Our Approach

The Public Health Team at Tameside Council screens every new license application or application for a license review/variation against a series of measures to enable the identification of applications that could have a significant adverse impact on the local community.

This screening is undertaken through a locally developed triage toolkit and ranks the 141 Lower Super Output Areas (LSOA's) in Tameside against a number of Alcohol Harm indicators and then provides an overall ranking.

The rankings are underpinned by robust official data sets as follows:



- Density of Licensed Premises – Tameside Council information as of November 2022
- Alcohol Related Hospital Admissions –3 year period 1st Jan 2018 to 31st Dec 2020
- Weekend A&E Attendances between 0000hrs and 0500hrs – Tameside ICFT, Statistics for the 1 year period 1st Jan 2020 to 31st Dec 2020.
- Alcohol Related Crime – Greater Manchester Police data from 1st October 2022 until 30th September 2023.
- Alcohol Related Domestic Violence - Greater Manchester Police data from 1st October 2022 until 30th September 2023.
- Alcohol related Anti-Social Behaviour Incidents - Greater Manchester Police data from 1st October 2022 until 30th September 2023

The information below highlights the alcohol harm for the LSOA that SK15 1LH is located in.

ENTER POSTCODE	SK15 1LH	or	ENTER LSOA CODE	E01006066
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INDICATORS	WEIGHTING
Alcohol Specific Hospital Admissions	33.3%
Weekend A&E attendances (12-05 AM)	33.3%
Alcohol Related Crimes	11.1%
Alcohol and Domestic Violence Associated Crimes	11.1%
Alcohol Related Anti-Social Behaviour Incidents	11.1%

RESULTS FOR SELECTED LSOA

E01006066

INDICATOR	VALUE	Z-SCORE	TAMESIDE RANK
Density of Licensed Premises (per 1000 population)	5.6	0.94	11
Alcohol Specific Hospital Admissions (DSR per 100,000 Population)	1833.2	0.69	33
Weekend A&E attendances (12-05 AM)	2605.6	0.93	20
Alcohol Related Crimes	7.7	-0.17	67
Alcohol and Domestic Violence Associated Crimes	5.6	0.16	57
Alcohol Related Anti-Social Behaviour Incidents	2.8	0.34	29
OVERALL SCORES			
Unweighted Composite Score for LSOA	-	0.40	35
Weighted Composite Score for LSOA	-	0.58	26

Alcohol Harm in relation to SK15 1LH (LSOA E01006066)

Results show that out of 141 LSOAs across Tameside this LSOA ranks

- 20th in borough for weekend A&E attendances
- 29th in borough for alcohol related anti-social behaviour
- 57th for alcohol related domestic abuse
- 11th for density of licenced premises
- 67th for alcohol related crime
- 20th for alcohol specific hospital admissions

The results from the dashboard illustrates that impact related to alcohol harm is relatively high within this LSOA, and it should also be noted that the ranking of neighbouring LSOAs is higher, displaying high levels of existing alcohol-related harms in the wider area. The immediate area around SK15 1LH has a particularly high ranking around the density of existing licensed premises. This indicates a high level of alcohol availability in this area already.

Tameside has some of the highest levels of alcohol harm in England and locally across Greater Manchester.

- Tameside has the 2nd highest alcohol mortality rate in Greater Manchester

- Tameside has the highest rate of alcohol sold through off trade in Greater Manchester and the 7th highest rate in England
- Tameside has the 3rd highest level of dependant drinkers in Greater Manchester and 10th highest in England.

There is growing body of evidence which demonstrates that the availability of alcohol contributes to increased levels of alcohol related harm, which is relevant for the area around this premises (SK15 1LH), as it has a relatively high level of alcohol related harm compared to the rest of the borough, including the 11th highest density of existing licensed premises in the borough.

Beyond the immediate area around SK15 1LH, this LSOA is surrounded by areas that have even higher levels of alcohol harm. The factors contributing to alcohol harm in these areas could be impacted by residents having easier access to alcohol from this premises, as people will be easily able to travel here from outside the immediate area.

The increased availability of alcohol from this premises, particularly the application for a 24-hour off-sale license, will increase alcohol availability and potentially increase the risk of alcohol related harms, which is a matter of public safety. The prospect of passing trade and customers from wider areas could also potentially increase the risk of public nuisance and crime & disorder in the area.

Further evidence also demonstrates that increasing the availability of alcohol, particularly via off-sales premises, contributes to increased levels of alcohol related harm. This could relate to direct harm where alcohol is immediately consumed prior to or when driving a motor vehicle at a premises of this nature, frequently visited by people driving. Wider evidence also suggests that alcohol available to be purchased and then immediately consumed either prior to or when driving a motor vehicle, or indeed by passengers within the vehicle, is likely to increase the risk of harm.¹

Conclusion

Overall, we have assessed this LSOA within which SK15 1LH sits, as having high levels of alcohol-related harm. The review of this application for a new licence at these premises needs to consider this harm to individual health and that of the local population and consider the impact on local health services, in particular the local A&E department as well as that of the local police and community safety resources.

The evidence would suggest that **representation from public health around the application for a new licence at these premises is appropriate for the following representations**

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**

Yours Sincerely,

James Mallion
Assistant Director of Public Health

¹ Anderson, P., Chisholm, D. and Fuhr, D., C. (2009) Effectiveness and cost-effectiveness of policies and programmes to reduce the harm caused by alcohol, Lancet, 373, pp2234-46.

References

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- Pereira, G., Wood, L., Foster, S. and Hagger, F. (2013) '*Access to alcohol outlets, alcohol consumption and mental health*', *PLoS*, Vol.8, Issue 1.
- Richardson, E.A., Shortt, N.K., Pearce, J. and Mitchell, R. (2014) '*Alcohol-related illness and death in Scottish neighbourhoods: Is there a relationship with the number of alcohol outlets?*' Centre for Research on Environment, Society and Health, University of Edinburgh and University of Glasgow.
- Theall, K.P., Scribner, R., Cohen, D. Blunthenthal, R.N., Schonlau, M. and Lynch, S. (2009) '*The neighbourhood alcohol environment and alcohol-related morbidity*', *Alcohol and Alcoholism*, Vol. 44, pp. 491-499.

I, James Mallion on behalf of Public Health in their capacity as a Responsible Authority under the Licensing Act 2003 make representation in relation to the new off-license premise application at Asda Express PFS, Stamford Street, Stalybridge SK15 1LH submitted to the Licensing Authority on 16 January 2024.

In relation to the above application, I have enclosed some information and comments below.

The representation relates primarily to: the prevention of crime and disorder; public safety; and the prevention of public nuisance.

The attached document in Appendix 1 is a letter outlining our findings including the evidence behind this in relation to the known harms of alcohol and a range of alcohol related indicators of harm in the immediate area around SK15 1LH (the lower super output area (LSOA)) which includes alcohol related hospital activity, density of licensed premises and alcohol related crimes and antisocial behaviour incidents.

See below a screenshot of the data for this area (SK15 1LH), which indicates the level of existing alcohol-related harm in the Lower Super Output Area (LSOA). This tells us that this area has a relatively high level of alcohol related harm compared to the rest of the borough, ranked 26th out of 141 LSOAs making this area in the top fifth of the borough for existing alcohol harms. This area also ranks particularly highly for the individual measures of alcohol harm including the density of existing licensed premises (11th highest out of 141 LSOAs in the whole borough); and weekend night-time A&E attendances (20th highest out of 141 LSOAs).

ENTER POSTCODE
SK15 1LH
or
ENTER LSOA CODE
E01006066

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OVERALL SCORES	Unweighted Composite Score for LSOA	-	0.40	35
	Weighted Composite Score for LSOA	-	0.58	26

Given the high density of existing licensed premises in this area, the wider alcohol harms across the borough should also be considered. Tameside has some of the highest levels of alcohol harm in England and locally across Greater Manchester. Tameside has the 8th highest alcohol related death rate in the country; 7th highest rate of alcohol sold through off trade in the country; and 10th highest level of dependant drinkers in the country. This demonstrates the high level of harm and the impact that alcohol has across our wider population in Tameside. This can be directly seen in the area around SK15 1LH with high levels of weekend night-time A&E attendances, which has an impact on public services.

Of particular concern with this application is the request for a license to sell alcohol 24 hours a day. A wide body of evidence demonstrates that the increased availability of alcohol contributes to increased levels of alcohol related harm, particularly from off-license sales. Given that this area already has a high density of licensed premises, increasing availability over 24 hours will provide residents with easier access to alcohol, as people will be easily able to travel here from outside the immediate area, which further increases the risk of harm. It should also be noted that the areas immediately surrounding SK15 1LH have even higher measures of alcohol related harm, and this 24 hour license at a petrol filling station may also increase alcohol availability and the potential for harms in these areas.

Given that this premises is also a petrol filling station, it is relevant to consider wider evidence which suggests that alcohol available to be purchased and then immediately consumed either prior to or when driving a motor vehicle, or indeed by passengers within the vehicle, is likely to increase the risk of harm. These issues are a matter of public safety. The nature of this premises and the extensive hours of alcohol sale mean that the prospect of passing trade and customers from wider areas could potentially increase the risk of public nuisance and crime & disorder in the area, particularly during the hours when other premises are not open to sell alcohol.

Based on the evidence and information presented in this representation and the attached Appendices, and given the nature of the premises and proposed hours of sale, I would recommend refusal of this application, or at least a reduction in the proposed hours of sale alongside any further measures to support the licensing objectives, particularly in relation to the prevention of crime and disorder; public safety; and the prevention of public nuisance.